

## Statement of Policy on Drugs and Controlled Substances

The use, possession, transfer, or sale of illegally possessed narcotics, hallucinogens, depressants, stimulants, marijuana, or other like compounds, hereinafter referred to as drugs, by drivers while on company business, will result in disciplinary action, up to termination.

Any use, possession, transfer, or sale of drugs by drivers which may adversely affect the driver's job performance, or which may reflect unfavorably upon public or governmental confidence in the manner in which our company carries on its responsibilities, may result in disciplinary action up to termination.

This policy applies to all company drivers and prospective drivers, whose assigned duties involve the safety of the public at large, coworkers, customers, etc. Any driver observed on the job in possession of drugs or controlled substances will be suspended and be subject to discipline, up to termination.

Any driver whose behavior on the job reasonably suggests impairment by drugs or controlled substances will be requested to submit to an approved medical examination, including a drug screen. If the medical examination confirms the use of drugs, or the unauthorized use of controlled substances, the driver will be subject to disciplinary action, up to termination. Refusal to submit to medical examination and/or furnish urine samples is insubordination; i.e., discipline up to termination. If the examination fails to confirm the use of drugs or unauthorized controlled substance, the driver shall be removed from suspension.

The Company may authorize inspections, investigations and searches for such drugs at any time, with or without prior notice. All company premises and company vehicles are subject to inspections and searches at any time, with or without advance notice. Any driver who refuses to permit or cooperate with a properly authorized inspection, investigation, or search is subject to discipline, up to termination.

The terms of this policy will be communicated to all applicants for employment and to all current drivers, which involves the safety of the public, co-drivers, customers, etc. Each of the above will be required to certify such communication.

*The regulations relating to alcohol and drug testing are part of the Federal Motor Carrier Safety Regulations (FMCSR), issued and enforced by the Federal Highway Administration in the Department of Transportation.*

*Specifically, Part 382 of the FMCSR covers Controlled Substances and Alcohol Use and Testing and gives requirements and exceptions that apply. Part 382.601 requires that each employer promulgate a policy on the misuse of alcohol and use of controlled substances; and provide educational materials that explain the requirements of the regulation and the employer's policies and procedures with respect to meeting these requirements.*

*Part 40 of the FMCSR covers Procedures for Transportation Workplace Drug and Alcohol Testing Programs, listing the requirements and exceptions that apply.*

*Note: A company alcohol and drug policy may create rights or liabilities between the parties involved. Legal advice regarding the development or review of this or any employment policy should be obtained from appropriate legal counsel.*

## 1.0 INTRODUCTION AND OVERVIEW

- 1.1 The U.S. Department of Transportation (DOT) has issued regulations which govern the use of drugs and alcohol by motor vehicle drivers, and which also require the Company to conduct mandatory drug and alcohol testing of drivers at the times and under the conditions described in this policy.
- 1.2 It is the Company's intention to comply fully with the DOT's regulations governing drug and alcohol use and testing, and the requirements of DOT's regulations have been incorporated into this Policy. In the event DOT's regulations are amended, this Policy and the applicable term(s), condition(s) and /or requirement(s) of this Policy, shall be deemed to have been amended automatically at that time, without the need for redrafting, in order to reflect and be consistent with DOT's regulations. In such cases the Company reserves the right to apply the amended requirements immediately, and without giving prior notice to drivers and/or applicants, unless such notice is required by DOT or another applicable law. It is also the Company's intention to comply with any applicable state requirements governing drug and/or alcohol testing which are not preempted by DOT regulations. The Company also intends to comply with the applicable requirements of the Drug-Free Workplace Act of 1988, the Americans With Disabilities Act, and the Family and Medical Leave Act.
- 1.3 Under the Company's Policy, drug and alcohol testing will be conducted on any current and/or prospective driver who may be required to operate a motor vehicle having a gross vehicle weight rating in excess of 26,000 pounds, in interstate or intrastate commerce; and on any driver of a motor vehicle that is used to transport hazardous materials, in a quantity which requires the vehicle to be placarded regardless of the vehicle's size.
- 1.4 All applicants for positions with the Company as driver will be notified of the Company's drug and alcohol use and testing policy at the time they apply for a driver position with the Company.
- 1.5 The Company has spent a great deal of time and effort in developing and implementing the terms, conditions and requirements of this Policy, whose terms, conditions, requirements and implementation comply with DOT's regulations.

## 2.0 DEFINITIONS OF TERMS USED IN THIS POLICY

- 2.1 For purposes of this Policy and the Company's drug and alcohol testing program, "safety-sensitive function" means any of the following (i) driving; (ii) the time spent waiting to be dispatched at a carrier's or shipper's terminal, plant, facility or other property, unless the driver has been relieved from duty; (iii) inspecting, servicing or conditions equipment; (iv) being in or on a commercial motor vehicle (except resting in the sleeper berth); (v) loading or unloading, including supervising or assisting in

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loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle; giving or receiving receipts for a shipment being loaded or unloaded; (vi) securing the vehicle and taking all of the other precautionary measures required by DOT's regulations following an accident (49 C.F.R. 392.40 and 392.41); (vii) repairing, obtaining assistance, or attending a disable vehicle.

- 2.2 For purposes of this Policy and the Company's drug and alcohol testing program, "Company business" includes, but is not limited to, work performed on or in Company property including a Company vehicle, and work performed on or in a non-Company vehicle being used for conducting Company business; the term also includes meal and break times.
- 2.3 For purposes of this Policy and the Company's drug and alcohol testing program, "refusing to be tested" means any of the following (i) failing to provide an adequate urine specimen for a drug test without a valid medical explanation; (ii) failing to provide adequate breath for an alcohol test without a valid medical explanation; (iii) failing to submit to a test as directed; or (iv) engaging in any conduct which clearly obstructs the testing process.
- 2.4 For purpose of this Policy and the Company's alcohol testing program, an alcohol test will be considered "positive" when the alcohol concentration level registers 0.02 or greater.

### **3.0 PROHIBITED DRUG AND ALCOHOL USE AND ACTIVITIES**

- 3.1 The goals of the Company's Policy and the testing of drivers is to insure a drug and alcohol-free transportation and work environment and to reduce and help eliminate drug and alcohol-related accidents, injuries, fatalities and damage to property.
- 3.2 In furtherance of the Company's goals, the conduct specified in Section 3.3 of this Policy is prohibited whenever a driver is on duty; whenever a driver is performing, or just about to perform, a safety-sensitive function (as defined in Section 21 of this Policy) whenever a non-DOT worker is performing, or just about to perform, safety-related activity; whenever a driver is otherwise engaged in Company business (as defined in Section 2.2 of this Policy); or at the items otherwise specified in this Policy.
- 3.3 The following conduct is strictly prohibited (i) drivers are prohibited from using, being under the influence of, or possessing illegal drugs; (ii) drivers are prohibited from using or being under the influence of legal drugs that are being used illegally; (iii) drivers are prohibited from using or being under the influence of legal drugs whose use can adversely affect the ability of the driver to perform his or her job safely; (iv) drivers are prohibited from selling, buying, soliciting to buy or sell, transporting, or possessing illegal drugs while on Company time or property; (v) drivers are prohibited from using alcohol with four (4) hours of driving or performing any other safety-sensitive function; (vi) drivers are prohibited from possessing any amount of alcohol (including possession of medications which contain alcohol) while on duty or driving, unless the alcohol is manifested and being transported as part of the shipment;

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(viii) testing positive for drugs and/or alcohol; (ix) refusing to be tested for drugs and/or alcohol (as defined in Section 23 of this Policy); (x) failing to submit to a drug and/or alcohol test as directed by the Company; (xi) failing to stay in contact with the Company and its medical review officer while awaiting the results of a drug test; (xii) violating any applicable federal and/or state requirement governing the use of drugs and alcohol; (xiii) doing anything to obstruct the Company's goals with respect to drugs and alcohol.

### 4.0 TEST REQUIRED

4.1 In general the Company is required by DOT to conduct a test under the following conditions or time (i) before a driver-applicant is hired or an existing non-DOT worker performs DOT driving duties (pre-employment / pre-duty testing); (ii) for reasonable suspicion; (iii) following certain accidents (post-accident testing); (iv) on a random basis the Company's procedures and requirements for each test are discussed below.

### 4.2 Pre-employment/ pretesting

4.21 This test is required before any driver-applicant will be hired. This test is also required before any existing worker in a non-DOT driver position will be assigned, transferred or otherwise permitted to operate a commercial motor vehicle on behalf of the Company for the first time. For purposes of the Company's policy concerning pre-employment / pre-duty testing procedure requirements and discipline, applicants and existing workers who are applying for a driver position are collectively referred to in Section 4.2 as "applicants."

4.22 Prior to taking a pre-employment / pre-duty drug test, the applicant will be given forms notifying the applicant to report for a drug test, which include instructions and an explanation of the collection procedures for each test. The applicant will also be asked to execute a general consent and release to be tested for drugs.

4.23 All offers by the Company to hire an applicant for, or to assign or transfer an applicant to, a driver position are conditioned upon the applicant (i) executing the Company's general consent and release to be tested for drugs and alcohol forms; (ii) taking a drug test as directed by the Company and passing the test; (iii) executing the Company's authorization to obtain past drug and alcohol test results form (which authorized the Company to obtain all of the applicant's past drug and alcohol test results, including any refusals to test, from each company for whom the driver either worked, or took or refused to take a pre-employment / pre-duty test during the previous two years and the results of those tests including any refusals); (vi) passing the DOT-required physical exam required for driver positions; (v) complying with any other conditions or requirements of which the Company advises the applicant at the time of the offer.

4.24 Any applicant who refuses or fails to execute the Company's general consent and release to be drug and alcohol tested forms, who refuses or fails to execute the Company's authorization to obtain past drug and alcohol test results form, who refuses or fails to submit to a pre-employment / pre-duty drug test as directed, or

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whose result is positive for either test, will not be considered eligible to work for the Company. Existing workers who test positive will not be considered qualified for the position for which they are applying and will also be subject to Company discipline, up to and including discharge.

### **4.3 Post-accident drug testing**

- 4.31 A driver who is performing a safety-sensitive function must submit to a post-accident drug and a post-accident alcohol test as soon as possible after the occurrence of any accident that meets the description of section 4.32 or section 4.33 of this Policy. For purposes of this Policy and the Company's drug and alcohol testing program, an accident which meets the description of section 4.32 or section 4.33 of this Policy is referred to as a "DOT accident."
- 4.32 A driver must always submit to a post-accident test as soon as possible after an accident which involves the death of a human being.
- 4.33 A driver must submit to a post-accident test as soon as possible after an accident, whenever the driver receives a citation for a moving violation involving the accident and either: (i) a person is injured because of the accident and the injuries require immediate medical treatment to the person away from the accident scene; or (ii) one or more motor vehicles involved in the accident incur disabling damage and must be transported away from the accident scene by a tow truck or another vehicle.
- 4.34 It is possible that a driver will be directed to submit to a drug and/or alcohol test at the accident scene by a federal, state, or local law enforcement officer. Whenever a test is conducted by a law enforcement officer, the driver is required to contact the driver's supervisor or another Company official immediately to report this and to provide the Company with the name, badge number and telephone number of the law enforcement officer who conducted the test.
- 4.35 Whenever a driver is involved in a DOT accident and is not tested for drugs and alcohol by a law enforcement official, the driver is required to immediately report for a test, following the procedures detailed on the Driver's Post-Accident Testing Checklist, which every driver is given at the time he/she is hired.
- 4.36 A driver who is required to take a post-accident drug and/or alcohol test will, at the Company's discretion, either be assigned to a non-safety-sensitive function, or placed on non-disciplinary suspension with pay, while awaiting the post-accident test results.
- 4.37 In addition to the penalties imposed by DOT (discussed in section 6.13, 6.23 and 6.24 of this Policy), a driver who tests positive for drugs and/or alcohol, who refuses or fails to submit to a post-accident drug and alcohol test as required, who unnecessarily delays reporting to the test site following an accident, or who otherwise fails to comply with the Company's post-accident testing procedures, will be subject to disciplinary action, up to and including discharge.

#### **4.4 Random testing**

- 4.41 The Company is required to test drivers on a random basis, and all such tests will be unannounced ahead of time.
- 4.42 Under the Company's random selection process, every driver will have an equal chance of being selected each and every time the selection is conducted. Appropriate safeguards are also present to ensure that the identity of individual drivers cannot be determined prior to or at the time of their selection.
- 4.43 Whenever a driver is randomly selected to be tested, he/she will be notified of this in writing and instructed to report to the collection site immediately.
- 4.44 A driver who tests positive or who refuses to submit to a test is medically unqualified to drive and/or perform any other safety-sensitive function.
- 4.45 In addition to the penalties imposed by DOT (discussed in section 6.13, 6.23 and 6.24 of this Policy), a driver who refuses to submit to a random test, who fails to report for the test as directed, or who tests positive will be subject to disciplinary action, up to and including discharge.

#### **4.5 Reasonable suspicion testing**

- 4.51 Each driver is required to submit to drug and/or alcohol testing whenever the Company has reasonable suspicion to believe that the driver has used drugs and/or alcohol in violation of DOT regulations and/or this Policy.
- 4.52 Reasonable suspicion will exist when a driver's appearance, behavior, speech, or body odors indicate drug or alcohol use, or the chronic and withdrawal effects of drugs. Such observations must be personally observed and documented by at least one Company official who has received training covering the physical, behavioral, speech, and performance indicators of probable drug and alcohol use.
- 4.53 Whenever a driver is notified that there is reasonable suspicion to be tested, the driver will be expected to report to the test site immediately to be tested.
- 4.54 Drivers who are required to submit to a reasonable suspicion test will be escorted by an agent of the Company to the appropriate specimen collection site for a drug and alcohol test.
- 4.55 The Company will also attempt to contact the driver's spouse, another member of the family, or another person designated by the driver, in order to make arrangements for transporting the driver to his/her home after the test is completed. In the event that the Company is unable to contact the driver's spouse, family member, or another designated person, the Company will make arrangements for transporting the driver home by cab or other suitable means.

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- 4.56 If the driver rejects the Company's efforts in this regard and instead insists on driving his/her personal vehicle, the Company reserves the right to take whatever means are appropriate to prevent this including contacting appropriate law enforcement personnel and imposing disciplinary action, up to and including discharge.
- 4.57 A driver who is required to take a reasonable suspicion test will be considered by the Company as unqualified to work and placed on immediate suspension, without pay, pending the results of his/her test. A driver whose test results are negative will be reimbursed for the time of his/her suspension. A driver whose test results are positive will not be reimbursed for the time of the suspension.
- 4.58 In addition to the penalties imposed by DOT (discussed in section 6.13, 6.23 and 6.24 or the policy), a driver whose reasonable suspicion test is positive, or who fails or refuses to submit to a reasonable suspicion test when directed to do so by the Company will be subject to disciplinary action up to and including discharge.

### 5.0 TESTING METHODOLOGY AND INTEGRITY

- 5.1 To ensure the integrity and accuracy of each test, all specimen collection, analysis, and laboratory procedures shall be conducted in accordance with DOT's procedural protocols and safeguards set forth in Part 40 of Title 49 of the Federal Code of Regulations This includes, among other things: (i) procedures to ensure the correct identity of each driver at time of testing; (ii) a strict chain-of-custody procedure to ensure that the driver's specimen is not tampered with by the Company, (iii) the use of a trained breath alcohol technician (BAT) and DOT-approved testing devices for conducting alcohol tests; (iv) the use of a laboratory which has been certified by the National Institute for Drug Abuse (NIDA); (v) the confirmation of an initial positive drug screen by a second analysis using gas chromatography/mass spectrometry (GCMS); (vi) the confirmation of an initial positive alcohol screen by a second analysis (vii) the Company's appointment of a qualified Medical Review Officer (MRO) to review drug test results before they are reported to the Company's designated representative.
- 5.2 To further facilitate the integrity and accuracy of each test, the Company will provide drivers with written and/or oral instructions regarding the conduct of the specific test before each testing event. The Company considers all such instructions to be a part of this Policy. Drivers who refuse or otherwise fail to comply with all such instructions will be subject to disciplinary action up to and including discharge.
- 5.3 For all drug tests**
- 5.31 All drug tests conducted under this Policy require that the driver must provide a specimen of his/her urine.
- 5.32 At a minimum, urine specimens will be analyzed for the presence of the following drugs: 1) marijuana, 2) cocaine; 3) opiates, 4) amphetamines, and 5) phencyclidine. Specimens will also be analyzed for such other substances as DOT may from time-to-time direct, or as may otherwise be permitted by federal or state law. In the event that DOT expands the list of drugs for which testing is or may be required, the Company

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reserves the right to begin testing immediately for those drugs without prior notice to drivers or applicants, unless notice is required by DOT or another applicable law.

- 5.33 In general, drivers will be permitted to give a urine specimen in privacy and without being observed by collection site personnel. However, a driver forfeits this right whenever there is reason to believe that he/she may alter or substitute a specimen.
- 5.34 All drug tests will be administered using the split sample methodology required by DOT. Under this methodology, the driver must provide at least 45 milliliters (ml) in a specimen container. The specimen will then be divided into two specimen bottles by the collector. Thirty (30) ml will be poured into one bottle and fifteen (15) ml into a second bottle. Both bottles will be sent to the laboratory. The bottle containing 30 ml will be analyzed as the driver's primary specimen. The second bottle will be held by the laboratory to be sent to another lab at the driver's request in the event that the primary specimen is verified as positive. In the event the primary specimen is verified as positive, the driver will be notified either by the Company's MRO or by the Company of the positive test and given the option to have the second bottle sent to a different laboratory for analysis. To exercise this option, the driver must advise the Company's MRO within 72 hours of being told that the primary specimen was positive.
- 5.35 Except for the use of methadone and medications containing alcohol, nothing in this Policy prohibits a driver's use of a medication legally prescribed by a licensed physician:
- (i) who is familiar with the driver's medical history and specific safety-sensitive duties, and
  - (ii) who has advised the driver that the prescribed medication will not adversely affect the driver's ability to operate a motor vehicle safely. Medications prescribed for someone other than the driver, however, will not be considered lawfully used when taken by the driver under any circumstances.
- 5.36 Before being tested for drugs, drivers will be given an opportunity to list, on their copy of the chain-of-custody from any prescription and nonprescription medications being lawfully used by that driver at that time. A "positive" drug test may be declared "negative" by the Company's MRO, if the driver can prove with clear and convincing evidence that the drug which was used was prescribed by a licensed physician who is familiar with the driver's medical history and specific duties. The determination of this will be made by the Company's MRO.

### **5.4 For all alcohol tests**

- 5.41 All alcohol tests conducted under this Policy require that the driver must provide a breath or saliva specimen for any test conducted by, or on behalf of, the Company. In the case of an alcohol test by a federal, state or local law enforcement officer following an accident, the driver must provide either a breath or blood specimen, as directed by the law enforcement officer.
- 5.42 Alcohol test will be administered using a breath specimen, taken by a breath alcohol technician (BAT) using an approved breath testing device (EBT), except in case of on-scene post-accident testing conducted by federal, state or local officials.



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- 5.43 Before being tested by the Company, each driver will be required to (i) present his/her personal identification, and (ii) execute a "Breath Alcohol Test Form" provided by the BAT. A driver who refuses to provide his/her identification, provides a false identification, refuses to execute the DOT "Breath Alcohol Test Form", or who otherwise refuses or fails to cooperate will be treated as though he/she had tested positive and will be subject to disciplinary action, up to and including discharge, in addition to the penalties imposed by DOT.
- 5.44 Prior to each alcohol breath test conducted by the Company, the BAT will instruct the driver on how the test will be performed.
- 5.45 To protect each driver, the BAT will open and attach to the testing device an individually sealed mouthpiece in the driver's view. The driver will then be directed to blow forcefully into the breath testing device until an adequate amount of breath has been maintained.

### 6.0 TEST RESULTS

- 6.11 In the event that the test result of a driver's primary specimen is positive, the driver will be notified by the Company or its MRO and advised that he/she has 72 hours to request that the MRO send his/her secondary specimen to a second, Company-approved laboratory for analysis. Pending the outcome of this additional analysis, the driver will continue being considered physically unqualified to work by DOT.
- 6.12 Before a driver's test result will be confirmed positive for drugs, the driver will be given the opportunity to speak with the Company's MRO and demonstrate that there was a legitimate medical explanation for the positive test result. If the MRO determines that a legitimate medical reason does exist, the test result will be reported to the Company as "negative". If the MRO determines that a legitimate medical reason does not exist, the test result will be reported to the Company as a "confirmed positive".
- 6.13 Except as provided in Section 4.24 of this Policy (concerning pre-employment and pre-duty test), a driver whose test result is confirmed positive for drugs will be considered unqualified to perform or continue performing his/her functions safely and will immediately be discharged. In addition, a driver whose test result is confirmed positive for drugs will also be subject to civil and criminal penalties imposed by DOT.

#### 6.2 For alcohol tests

- 6.21 In the event that the driver provides an adequate breath specimen and the initial test registers an alcohol concentration level that is less than 0.02, the results will be reported as a "negative" and no additional test will be required at that time.
- 6.22 In the event that the driver provides an adequate breath specimen and the initial test registers an alcohol concentration level of 0.02 or greater, a second, confirmatory test will be performed. In the event that the driver provides an adequate breath specimen and the test registers less than 0.02, the test result will be reported to the Company as "negative".

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- 6.23 DOT prohibits any driver whose confirmatory test registers 0.02 or more, but less than 0.04, from performing or from continuing to perform any safety-sensitive function until the driver's next regularly-scheduled duty period, but for not less than 24 hours. Except as provided in Section 4.24 of this Policy (concerning pre-employment and pre-duty tests, a driver who, after providing an adequate breath specimen, has a confirmatory test which registers 0.02 or more, but less than 0.04, will, at a minimum, be suspended without pay until his/her next regularly-scheduled duty period, but for no less than 24 hours, and may be subject to additional disciplinary action by the Company, up to and including discharge.
- 6.24 A driver who, after providing an adequate breath specimen, has a confirmatory test which registers 0.04 or greater will, at a minimum, be suspended without pay until his/her next regularly-scheduled duty period, but for no less than 24 hours and will be subject to additional disciplinary action by the Company up to and including discharge.

### 7.0 MAINTAINING CONTACT WITH THE COMPANY AND MRO AFTER A DRUG TEST

- 7.1 Drivers who are tested for drugs are required to remain in contact with the Company and the Company's MRO while awaiting the results of their tests. Drivers are also required to advise the Company of their whereabouts and the telephone number where they can be reached during this time.
- 7.2 The Company's MRO is **ENTER NAME HERE** whose telephone number is **(XXX) XXX-XXX x**\_\_\_\_\_.
- 7.3 A driver who refuses or fails to remain in contact with the Company and the Company's MRO will be considered insubordinate and subject to disciplinary action, up to and including discharge. In addition, a driver who fails to remain in contact may waive his/her right, under Section 6.12 of this Policy, to speak with the Company's MRO before a test is confirmed positive.

### 8.0 DRUG AND ALCOHOL INFORMATION

- 8.1 The Company is required to provide educational materials for all drivers, explaining the DOT's requirements and the Company's policies and procedures to meet those requirements. In addition to this Policy, the Company will provide drivers with information concerning: (i) the effects of drugs and alcohol on an individual's health, work and personal life; (ii) the signs and symptoms of a drug or alcohol problem; and (iii) the available methods of intervention when a problem does exist.
- 8.2 Each driver is required to certify that he/she has been given a copy of this Policy and other drug and alcohol information by the Company in accordance with paragraph 8.1 of this Policy. In accordance with paragraph 4.23 of this Policy, applicants are required to execute the certification as a condition of being hired. An applicant who refuses to do so will not be hired. Existing drivers who refuse to execute this required certification will be subject to Company discipline, up to and including discharge.
- 8.3 Any existing driver who engages in any conduct prohibited under this Policy will be provided with information concerning the resources available to evaluate and resolve

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a drug or alcohol problem, and the names, addresses and telephone numbers of substance abuse professionals, counseling and treatment programs.

8.4 All questions concerning the educational materials provided by the Company, or about this Policy, should be directed to the appropriate person identified on the "Contact List" which accompanies this Policy.

**9.0 PAYMENT OF TESTS**

9.1 At its discretion, the Company shall pay the costs for all tests which the Company is required to conduct on drivers under DOT regulations.

9.2 Drivers are responsible for paying the costs for any tests or tests conducted which the Company does not require, unless otherwise prohibited by the applicable state law.

9.3 Drivers are responsible for paying the costs of the analysis of any secondary urine specimen which they request under Section 6.11 of this Policy, except as otherwise required by applicable state law.

**10.0 CONFIDENTIALITY**

10.1 The results of all individual drug and alcohol tests will be kept in a secure location with controlled access.

10.2 All individual test results will be considered confidential. The release of an individual driver's results will only be given in accordance with an individual driver's written authorization, or as is otherwise required by DOT's regulations, or by other applicable federal or state law.

**LIST OF CONTACTS  
MANAGEMENT REFERENCE**

FOR QUESTIONS REGARDING	CONTACT PERSON AND PHONE #
• DOT Drug and Alcohol Testing Requirements	<b>ENTER NAME</b> _____
• Medical Review Office	<b>ENTER NAME</b> _____
• Human Resource Personnel	<b>ENTER NAME</b> _____
• Insurance	<b>ENTER NAME</b> _____
• Drug and Alcohol Counseling and Rehabilitation Services	<b>ENTER NAME if</b> _____

**Driver Post-Accident Instructions**

Company policy and the Federal Motor Carrier Safety Regulations require drivers of commercial motor vehicles to submit to drug and alcohol tests as soon as practicable following any accident in which a driver:

1. Was performing safety-sensitive functions with respect to the vehicle and the accident involved the loss of human life; or
2. Received a citation under state or local law for a moving traffic violation arising from the accident

An "accident" is defined as an occurrence involving a commercial motor vehicle operating on a public road which results in:

1. A fatality
2. Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
3. One or more motor vehicles incurring disabling damage as a result of the accident, requiring the vehicle to be transported away from the scene by a tow truck or other vehicle

**DRIVERS ARE STRICTLY PROHIBITED FROM USING ALCOHOL FOR EIGHT HOURS FOLLOWING AN ACCIDENT OR UNTIL THE POST-ACCIDENT TESTING REQUIREMENTS ARE CARRIED OUT, WHICHEVER OCCURS FIRST.**

In order to ensure that the above requirements are met, in the event of any accident, all drivers are required to take the following actions:

1. Call dispatch immediately.
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

Please note that these procedures do not require a driver to delay any necessary medical attention for injured people following an accident or to remain at the scene of an accident when his/her absence is necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.

**FAILURE OR REFUSAL TO FOLLOW THESE INSTRUCTIONS, INCLUDING THE USE OF ALCOHOL PRIOR TO THE REQUIRED POST-ACCIDENT TEST, WILL BE CONSIDERED A REFUSAL TO SUBMIT TO A TEST AND RESULT IN DISCIPLINE.**

**Urinalysis Consent Form**

\_\_\_\_\_  
Your Company Name

I understand, as a prequalification condition, I am required by 49 CFR Part 40; 53 FR 47002 U.S. Department of Transportation Research and Special Programs Administration to submit to a controlled substance test.

I agree to provide a urine sample at a location and time designated by the Company, to be tested for controlled substances.

I understand if I test positive for use of controlled substances, I am not medically qualified to drive a commercial motor vehicle or perform safety-sensitive functions.

The results of the controlled substance test will be maintained by the Company-designated Medical Review Officer who will report to the Company whether the test results were negative or positive. I authorize the Medical Review Officer to release the test results to **Your Company Name**.

The results will not be released to any additional party without my written authorization.

I agree to submit to the required controlled substance urinalysis.

\_\_\_\_\_  
Applicant's Signature (print & sign)

\_\_\_\_\_  
Applicant Social Security No.

\_\_\_\_\_  
Date

**Statement of Policy Acknowledgement of Receipt 382.601(d)**

\_\_\_\_\_  
Your Company Name

This letter is to inform you of **(Your Company Name)** position regarding drug and alcohol abuse and testing, as well as to provide you with a copy of the Company's policy on controlled substance abuse. While there is not intent to intrude upon the private lives of employees or contractors, the Company is concerned with those situations where drug and alcohol use interferes with or affects the safety and health of our employees/contractors or that of our customers and the general public.

Should you have any questions regarding this policy, contact your supervisor or company safety officer. Please sign and date in the space below as your receipt of this policy.

\_\_\_\_\_  
Employee Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Company's Representative

\_\_\_\_\_  
Company's Representative