

## Terms and Definitions

**Alcohol** The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols, including methyl and isopropyl alcohol.

**Alcohol Use** The drinking or swallowing of any beverage, liquid mixture, or preparation, including any medication, containing alcohol.

### Commercial Driver's License

**(CDL)** A license issued by a State or other jurisdiction, in accordance with the standards contained in 49 CFR part 383, authorizing an individual to operate a class of commercial motor vehicle (CMV). The individuals required to have a CDL under 49 CFR part 383 are subject to controlled substances and alcohol testing. Individuals, who are required to possess CDLs by virtue of State or local law or by employer policy, but not by Federal regulation, are not subject to the provisions of 49 CFR parts 382 and 383

### Commercial Motor Vehicle

**(CMV)** A motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle

(a) Has a gross combination weight rating (GCWR) of 11,794 kilograms or more (26,001 pounds or more) inclusive of a towed unit, with a gross vehicle weight rating (GVWR) of more than 4,536 kilograms (10,000 pounds); or

(b) Has a GVWR of 11,794 kilograms or more (26,001 pounds or more); or

(c) Is designed to transport 16 or more passengers, including the driver; or

(d) Is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and is required to be placarded under the Hazardous Materials regulations (49 CFR part 172, subpart F).

### Consortium/Third Party

**Administrator (C/TPA)** A service agent that provides or coordinates one or more drug and/ or alcohol testing services to DOT-regulated employers. C/TPAs typically provide or coordinate the provision of a number of such services and perform administrative tasks concerning the operation of the employers' drug and alcohol testing programs. This term includes, but is not limited to, groups of employers that join together to administer, as a single entity, the DOT drug and alcohol testing programs of its members (e.g., having a combined random testing pool). C/TPAs are not employers under the rules.

**Controlled Substances** For the purposes of these guidelines, the terms "drugs" and

"controlled substances" are interchangeable and have the same meaning. The DOT is testing only for the following five controlled substances: marijuana (THC), cocaine, opiates, phencyclidine (PCP), and amphetamines (including methamphetamines).

## **Designated Employer**

**Representative (DER)** An individual identified by the employer as able to receive

communications and test results from service agents and who is authorized to take immediate actions to remove employees from

safety-sensitive duties and to make required decisions in the testing and evaluation processes. The individual must be an employee of the company. Service agents cannot serve as DERs.

**Driver** Any person (volunteer or paid) who operates a CMV and is required to have a CDL. This includes, but is not limited to,

§ Full-time, regularly employed drivers

§ Leased drivers

§ Independent owner-operator contractors (employed directly or leased)

§ Casual, intermittent, or occasional drivers.

**Drug** See Controlled Substances.

**Employee** See Driver.

**Employer (or Motor Carrier)** Any person engaged in a business affecting interstate commerce who owns or leases a commercial motor vehicle in connection with that business, or assigns employees to operate it, but such terms does not include the United States, any State, any political subdivision of a State, or an agency established under a compact between States approved by the Congress of the United States.

**FMCSA** Federal Motor Carrier Safety Administration.

**FRA** Federal Railroad Administration.

**Gross Combination Weight Rating** The total value specified by the manufacturer(s) of the vehicle as the loaded weight of two or more vehicles. In the absence of a value specified by the manufacturer, it will be determined by adding the gross vehicle weight rating of the power unit to the total weight of the towed unit and any load thereon.

**Gross Vehicle Weight Rating** The value specified by the manufacturer of the vehicle as the loaded weight of a single vehicle.

## **Seating Capacity or**

**Designed to Transport** The value specified by the manufacturer of the vehicle as the maximum number of persons that may sit in a single vehicle. A commercial motor

vehicle that is altered by removing seats continues to be a commercial motor vehicle until the vehicle's seating capacity certification plate is replaced by a manufacturer.

**Service Agent** Any person or entity, other than an employee of the employer, that provides services specified under the regulations to employers and/or employees in connection with DOT drug and alcohol testing requirements.

**Stand-Down** The practice of temporarily removing an employee from the performance of safety-sensitive functions based only on a report from a laboratory to the medical review officer (MRO) of a confirmed positive test, an adulterated test, or a substituted test, before the MRO has completed verification of the test results.

Complete definitions of terms used in parts 40 and 382 may be found in §40.3 and §382.107.