

# Drug and alcohol testing

What's prohibited and what's required

**FMCSA launches Motus**

**3,000+ removed from  
Training Provider Registry**

**Does the new downgrade  
change test requirements?**

Information and resources to help your drivers operate safely

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## MESSAGE FROM THE EDITOR

### More than just a regulatory consequence

Do you remember that old “this is your brain on drugs” public service announcement? I have no doubt that the image of an egg sizzling in a pan these days would inspire a number of humorous jokes.

That said, the central message is accurate: Drugs and alcohol do cause impairment. For professional drivers, it’s essential to understand the ways that drugs and alcohol affect a driver’s ability to drive safely, but it’s also important to understand that drug use and alcohol misuse can have dire professional, health, financial, and personal consequences.

This month, in addition to the regulations, talk to your drivers about the professional consequences of using any drugs that impair their driving or misusing alcohol. According to Part 382, for those drivers operating vehicles requiring commercial driver’s licenses (CDLs), an alcohol concentration as low as 0.02 percent will result in being removed from safety-sensitive functions (SSFs) for at least 24 hours. An alcohol concentration of 0.04 or greater will remove a driver from all SSFs and trigger the return-to-duty process, followed by additional drug and/or alcohol testing for up to 5 years after the violation. Any indication of illicit drug use through a failed test also requires the return-to-duty process. Your company policy may set forth other consequences, such as termination, so make sure to remind drivers of that policy as well.

Also, spend some time talking to your drivers about the negative effects of drugs and alcohol on their health, finances, and personal life, and encourage them to make healthy choices and seek help if they need it. Remind drivers of the services that may be available to them as part of their employment benefits, such as coverage for substance abuse treatment or the availability of an Employee Assistance Program (EAP). Additionally, if your company offers a voluntary self-identification program for drivers dealing with addiction, this would be a good time to remind your drivers of that policy.

Drivers who have accurate information about the regulations, consequences, and treatment options are more likely to get help if they need it before something tragic occurs. ♦



### Lucero Truskowski

Lucero Truskowski joined J. J. Keller & Associates, Inc. as an Associate Editor in 2022. Lucero edits, writes, and researches content on a variety of topics, including transportation, human resources, and driver training. She holds a Master of Science (MS) in Professional Writing from New York University.



# TRAINING BLUEPRINT — DRUG AND ALCOHOL TESTING

## Regulatory requirements

Part 382 of the Federal Motor Carrier Safety Regulations (FMCSRs) places strict prohibitions on the use and abuse of drugs and alcohol by commercial motor vehicle (CMV) drivers. If a driver possesses a commercial driver's license (CDL), Part 382 prohibits that driver from possessing or using drugs or alcohol while performing any safety-sensitive functions, including driving.

**TIP:** This training blueprint is intended to provide a general awareness of this topic. It's not a complete policy or program as addressed in 382.601 of the FMCSRs.



## What's prohibited?

The regulations prohibit the misuse of alcohol or use of a controlled substance that could affect the performance of safety-sensitive functions.

**Alcohol.** A driver may not:

- Use alcohol while performing a safety-sensitive function,
- Use alcohol during the 4 hours before performing a safety-sensitive function,

- Report for duty or remain on duty to perform a safety-sensitive function with an alcohol concentration of 0.04 or greater,
- Use alcohol during the 8 hours following an accident (or until the driver undergoes a post-accident test), or
- Refuse to take a required test.

**Controlled substances.** A driver may not:

- Use any drug, except by doctor's prescription, and then only if the doctor has advised that the drug won't adversely affect the driver's ability to safely operate a CMV;
- Test positive for drugs;
- Have an adulterated or substituted drug test result; or
- Refuse to take a required test.

A safety-sensitive function includes all time from the time a driver begins work or is required to be ready for work until the time the driver is relieved from all work and all responsibilities for performing work.

**TIP:** Review and discuss the activities that fall under the definition of a safety-sensitive function in 382.107.

## The consequences of a violation

If a driver commits a drug or alcohol violation, the motor carrier must immediately pull that driver from performing safety-sensitive functions and provide the driver with a list of substance abuse professionals (SAPs). There are several steps that must happen before the driver can resume performing safety-sensitive functions, including:

- Being evaluated by an SAP,
- Completing the treatment and/or education prescribed by the SAP,
- Being re-evaluated by the SAP, and
- Receiving a negative result on a return-to-duty drug and/or alcohol test.

A driver can resume performing safety-sensitive functions after passing the return-to-duty test. However, the driver must still complete the follow-up testing program that is prescribed by the SAP. At a minimum, the driver will need to complete six follow-up tests over 12 months, but the SAP can require follow-up testing for up to 5 years. ♦

**TIP:** Ask drivers if they can explain the consequences on their career of a failed drug or alcohol test. If there's any uncertainty, make sure to go over the consequences.



# TRAINING HANDOUT — DRUG AND ALCOHOL TESTING

## Types of tests

There are six types of drug and alcohol tests required under Part 382:

**1. A pre-employment drug test** will be conducted, and you must have a negative result before driving or performing any safety-sensitive functions for a motor carrier.

**2. A post-accident test** is required if you're involved in an accident while driving a CMV and:

- Any person in the accident dies,
- You receive a citation for a moving traffic violation and:
  - Any person involved in the accident is injured and immediately taken away from the scene for medical treatment, or
  - One or more of the vehicles involved is towed away from the scene.

**3. Random testing** must occur several times throughout the year, and it will be unannounced. Once notified of a test, you must immediately go for testing.

**4. A reasonable suspicion test** is required if your employer has reason to believe that your appearance, behavior, speech, and/or body odor may indicate drug or alcohol use.

**5. Return-to-duty testing** is required before you return to duty after testing positive for drugs, failing an alcohol test, or refusing an alcohol or drug test.

**6. Follow-up testing** is required after you return to duty for up to 5 years. A minimum of six tests are required in the first year after returning to a safety-sensitive function. ♦



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## **TEST YOUR KNOWLEDGE — DRUG/ALCOHOL TESTING**

1. Post-accident testing is required when:
  - A. There's more than \$1,000 in damage to any vehicle involved in the accident
  - B. The driver admits fault
  - C. There's a fatality
  - D. All of the above
  
2. Failing a Part 382 drug or alcohol test can result in a CDL holder being prohibited from driving until the driver is referred to a substance abuse professional, completes a treatment plan, and passes a return-to-duty drug and/or alcohol test.
  - A. True
  - B. False
  
3. Which of the following tests are required?
  - A. Annual testing
  - B. Biannual testing
  - C. Random testing
  - D. All of the above
  
4. How many different types of tests are required under Part 382?
  - A. 4
  - B. 6
  - C. 10
  - D. 13
  
5. The regulations prohibit the misuse of alcohol or use of a controlled substance that could affect the performance of safety-sensitive functions.
  - A. True
  - B. False ♦

**NAME:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

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## FMCSA launches Motus: A modernized registration system

The Federal Motor Carrier Safety Administration (FMCSA) has announced the rollout of Motus, a new USDOT registration system designed to streamline compliance and modernize the way motor carriers, brokers, and supporting companies manage their regulatory obligations.

Motus represents a significant shift from the current patchwork of portals, consolidating USDOT numbers, biennial updates, hazmat registrations, and other filings into one secure, user-friendly platform. The initiative aims to:

- Simplify processes;
- Enhance fraud prevention; and
- Provide registrants with intuitive tools such as auto-population, real-time data validation, and mobile accessibility.

### Limited access phase

In December 2025, Motus opened with limited access for supporting companies. These organizations were able to create user and business profiles, ensuring their systems are prepared to meet industry needs once the platform expands. This early phase is critical for testing functionality and building readiness before more carriers join.

Motor carriers don't need to re-register immediately. Existing USDOT registrations remain valid until the system fully transitions in 2026.

## FMCSA removes over 3,000 from Training Provider Registry

In a move signaling tougher oversight of the entry-level driver training (ELDT) regulations, the Federal Motor Carrier Safety Administration (FMCSA) has removed more than 3,000 ELDT providers from its Training Provider Registry (TPR), citing non-compliance with federal standards.

In addition, another 4,500 ELDT providers have received notices of proposed removal, meaning they could also be removed from the TPR.

At that time, all carriers will be required to:

- Create Motus accounts,
- Verify their identity, and
- Update business information to maintain compliance.

The FMCSA anticipates registration requirements will begin in mid to late 2026.

### Listening to stakeholders

In response to industry feedback, the FMCSA confirmed that Motus won't initially introduce safety registration, eliminate docket numbers (MC/FF/MX), or alter BOC-3 filing processes. These proposals remain under

consideration and will be subject to public comment.

The FMCSA emphasized that stakeholder engagement will remain central throughout the Motus rollout. The agency plans to host informational webinars, industry roundtables, and training sessions to ensure registrants understand the new system and can provide feedback on its usability.



Motus is a step toward a safer, more efficient future for the transportation industry. By consolidating forms, improving verification, and reducing fraud, the FMCSA is ensuring that carriers and support companies can navigate compliance with confidence. ♦

These moves are the first steps in the FMCSA's review of the over 16,000 ELDT providers listed on the TPR. The agency's goal is to remove providers that are:

- Falsifying or manipulating training data;
- Neglecting to meet required curriculum standards, facility conditions, or instructor qualifications; or
- Failing to maintain accurate, complete documentation or refusing to provide records during federal audits or investigations.

## About ELDT

In effect as of February 2022, the ELDT rule establishes minimum training standards for drivers who are:

- Applying for their initial CDL;
- Upgrading their current CDL (Class B to Class A); or
- Obtaining a passenger, school bus, or hazardous materials endorsement for the first time.

Individuals must complete a course of theory and behind-the-wheel training offered by an entity listed on the TPR. To be listed on the TPR, an entity must meet specific requirements addressing curriculum, instructors, equipment, facilities, and recordkeeping.

This training must be successfully completed, and an individual must have proof of this prior to taking the skills test (except in the case of the hazmat endorsement, where this proof must be presented prior to the knowledge test) for the new license or endorsement. ♦



Answers to quiz on page 5:

1.) C 2.) A 3.) C 4.) B 5.) A



## Next Month's Topic: Roadside Inspections

Professional drivers should always be prepared for roadside inspections, since they can happen without warning and can come with serious consequences if the driver is unprepared. What better time to motivate your team than by prepping for Roadcheck 2026 to ensure your drivers are ready all year long? ♦

## Expert Help: Question of the Month

**Question:** Does the new downgrade of marijuana from a Class 1 drug immediately change the CDL testing requirement?

**Answer:** A lot must happen before any changes will occur under the U.S. Department of Transportation (DOT).

DOT is required to follow U.S. Health and Human Services (HHS) guidelines for DOT drug testing, including the drug testing panel.

Until the Drug Enforcement Administration (DEA) acts on rescheduling marijuana, neither HHS nor DOT can move forward. Changes to the DOT drug testing panel can't occur until:

- HHS provides new guidelines, and
- 49 CFR Part 40 is revised through the rulemaking process.

At this time, it's unknown whether there will be any stipulations built into the rescheduling allowing HHS and DOT to continue testing for marijuana. ♦



## Expert Help

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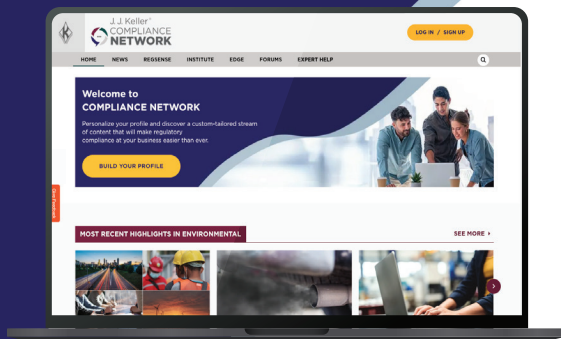
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