Basic Alcohol and Drug Testing Information
for CDL Holders/Supervisors

Federal Law requires:

- School Districts/Contractors must designate an employer representative to be responsible for the testing program
- All supervisors must complete reasonable suspicion training
- School Districts/Contractors must have a written policy on drug and alcohol use and shall provide educational materials that explain the requirements of the FMCSRs relating to drug and alcohol testing
- School Districts/Contractors must maintain a statement signed by each employee certifying receipt of the policy and educational materials
- Record retention varies from 1 year to indefinite
- All records shall be maintained in a secure location with controlled access
- All school bus drivers requiring a CDL must be enrolled in a company random controlled substance and alcohol testing program
- Six types of drug and alcohol testing required by federal law:
  - Pre-employment testing
  - Random testing
  - Post-accident testing (see table)
  - Reasonable suspicion testing
  - Return to duty
  - Follow-up testing

Additional Information:

- These alcohol and drug testing requirements apply to teachers, coaches, custodians, administrators or other district employees if they have a CDL and drive a school bus or activity bus.
- Non-CDL holders who drive school vehicles are not required by law to be in a random drug testing pool. It is permissible for the school/contractor to have a district policy requiring the same testing. However, under federal law, you cannot place non-CDL holders in the same pool as your CDL holders.

Consent for Alcohol and Drug testing from previous CDL employers

- When accepting job applications for prospective school bus drivers your job application should include a 10 year prior history and you must check the person’s CDL drug and alcohol testing history with any previous employer (required to do testing) who employed the person during the previous three years.
- The school/contractor must get the prospective employee’s written consent to seek the information from these employers.
- The person must list all previous and current employers within the last three years.
Consent for Alcohol and Drug testing from previous CDL employers continued

- If the person does not list previous employers or refuses to sign the consent form, you cannot allow the person drive for you.
- The consent must be a specific release authorizing the new employer to receive testing information from a specific former or current employer about a specific employee.
- A separate release form for each past employer in the previous three years is required.
- A sample consent form can be found on our website.
- If the prospective employee has failed an alcohol and/or drug test AT ANY TIME in the past, the prospective employee is not eligible to drive a school bus until this individual completes SAP (Substance Abuse Program) return-to-duty requirements in 49 CFR Part 40.

Post-Accident Testing

Below is a table, which indicates the federal requirements as to when a school bus driver shall be tested for alcohol and drugs. It is permissible for the school/contractor to have a district policy requiring testing for accidents not covered by this table.

<table>
<thead>
<tr>
<th>Type of Accident Involved</th>
<th>Citation Issued to the CMV Driver</th>
<th>Test Must Be Performed by Employer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Human Fatality</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Human Fatality</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Bodily Injury With Immediate Medical Treatment Away From the Scene</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Bodily Injury With Immediate Medical Treatment Away From the Scene</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Disabling Damage to Any Motor Vehicle Requiring Tow Away</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Disabling Damage to Any Motor Vehicle Requiring Tow Away</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>