

Controlled Substances and Alcohol Policy: required contents

49 CFR 382.601 requires every employer of CDL drivers to give each driver written policy materials covering the items below, and to keep a signed receipt from each driver. This outline lists what your policy must contain. Your consortium or third-party administrator usually provides a full policy; use this to check it, or to build your own. A policy is not a substitute for the testing program itself.

Company name

Designated Employer Representative (DER) name and phone

Your policy must state (382.601(b))

1. The identity of the person designated to answer driver questions about the materials (the DER).
2. The categories of drivers who are subject to Part 382 (everyone who operates a CMV requiring a CDL).
3. Enough information about safety-sensitive functions for drivers to know what period of the workday they are covered.
4. Specific information about driver conduct that is prohibited (Subpart B: alcohol use, use while on duty, pre-duty use, use following an accident, refusal to submit, controlled substance use, positive results).
5. The circumstances under which a driver will be tested: pre-employment, post-accident, random, reasonable suspicion, return-to-duty, and follow-up.
6. The procedures used to test, protect the driver and the integrity of the process, safeguard the validity of results, and ensure results are attributed to the correct driver, including split-specimen procedures.
7. The requirement that a driver submit to testing administered under Part 382.
8. An explanation of what constitutes a refusal to submit, and the consequences.
9. The consequences for drivers found to have violated Subpart B, including immediate removal from safety-sensitive functions and the referral, evaluation, and treatment requirements of Part 40, Subpart O.
10. The consequences for drivers found to have an alcohol concentration of 0.02 or greater but less than 0.04.
11. Information about the effects of alcohol and controlled substances on health, work, and personal life; signs and symptoms of a problem; and available methods of intervention.
12. The requirement that the following information be provided to the FMCSA Drug and Alcohol Clearinghouse (382.705) and that the driver's consent is required for queries (382.701).

Optional additional provisions (382.601(c))

Company-specific rules beyond the regulation must be clearly identified as based on the employer's independent authority, for example a zero-tolerance policy or testing under circumstances not required by Part 382.

Driver receipt (382.601(d))

I have received a copy of the company's controlled substances and alcohol policy materials.

Driver signature

Driver name (print)

Date

Keep the signed receipt in the driver's confidential drug and alcohol file, separate from the qualification file, for the duration of employment.