



Illinois Department of Transportation
Division of Public and Intermodal Transportation
Drug and Alcohol Testing Implementation Program

By
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Regulations

- 49 CFR Part 29 - Drug Free Workplace act of 1988
- 49 CFR Part 40 - Procedures for Transportation Workplace Drug and Alcohol Testing Programs
- 49 CFR Part 655 - Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations (Operators receiving Federal Section 5307, 5309, or 5311 Funding).
- 49 CFR Part 382 - Controlled Substances and Alcohol use and Testing (Operators that operate vehicles that require a CDL that don't receive Federal Transit Administration Operating Assistance).

Drug and Alcohol Testing Policy

- Must be adopted by the local governing board of the employer or operator.
- The policy must be disseminated to all employees.

The policy must contain the following elements:

- The name of the Designated Employer Representative (DER), and Alternate DER, and Contact Information.
- The name, address and phone number of the drug and alcohol testing consortium (if applicable).
- The name, address and phone number of the drug and alcohol testing collection site.

Drug and Alcohol Policy Con't

- The name, address and phone number of the Department of Health and Human Services (DHHS) Laboratory where the specimens are tested.
- The name address and phone number of the Medical Review Officer.
- The name, address, and phone number of the Substance Abuse Professional (SAP).
- The five types of prohibited drugs that will be tested for (Marijuana, Cocaine, Cocaine, Opiates, Amphetamines, and Phencyclidine).
- The cutoff limits for the screening and confirmation test of the five prohibited drugs
- The categories of safety sensitive employees

Drug and Alcohol Policy Con't

1. Operating a revenue service vehicle including operation when the vehicle is not in revenue service.
2. Operating non revenue service vehicles when operation of such vehicles require the driver to hold a Commercial Drivers License (CDL).
3. Controlling the dispatch or movement of a revenue service vehicle.
4. Maintaining a revenue service vehicle or equipment used in revenue service.
5. Carrying a firearm for transit security purposes.

Drug and Alcohol Policy Con't

- Volunteers
 1. The volunteer is required to hold a commercial drivers license to operate the vehicle; or
 2. The volunteer performs a safety-sensitive function for an entity subject to these provisions and receives remuneration in excess of his or her actual expenses incurred while engaged in the volunteer activity.

Drug and Alcohol Policy Con't

- Specific information concerning the behavior and conduct regarding the use of illegal drugs, and misuse of alcohol that is prohibited by these procedures.
- The types of drug and alcohol testing (ie Pre-Employment, Random, Post Accident, Reasonable Suspicion, and Follow Up Testing).
- The procedure that will be used for the presence of illegal drugs or alcohol misuse, protect the employee and the integrity of the drug and alcohol testing process, safeguard the validity of the test results, and the results are attributed to the correct covered employee.
- The requirement that a covered employee submit to drug and alcohol testing in accordance with these provisions.

Drug and Alcohol Policy Con't

- A description of the kind of behavior that constitutes a refusal to take a drug and/or alcohol test, and a statement that such a refusal constitutes a violation of the employer's policy.
- The consequences for a covered employee for a covered employee who is found to have an alcohol concentration of 0.02 or greater but less than 0.04.
- The consequences for a covered employee who has a verified positive drug test or a confirmed alcohol test result with an alcohol concentration of 0.04 or refuses to submit to a test under this part.
- If an employer implements elements of an anti-drug use or alcohol misuse program that are in addition to the requirements mandated by DOT.

Education and Training

- All employees covered under the drug and alcohol policy must receive sixty (60) minutes of training on the effects and consequences of prohibited drug use on the effects and consequences of prohibited drug use on personal health, safety, the work environment, and on the signs, symptoms that may indicate prohibited drug use.
- Supervisors who make reasonable suspicion determinations shall receive at least sixty (60) minutes of training on the physical, behavioral, and performance indicators of probable drug use, and at least sixty (60) minutes of training on the physical, behavioral, speech and performance of probable alcohol misuse.

Substance Abuse Professional (SAP)

- The Department of Transportation (DOT) requires that each operator establish a relationship with a SAP so that if an applicant or employee tests positive for drugs/and or alcohol, or if the employee requests treatment on their own, the Drug and Alcohol Program Manager can refer the employee to a qualified SAP for assistance.

Job Advertisements and Current/Previous Employer Checks

- It is recommended that each operator include in their job advertisements that their agency is a drug free workplace environment, and does pre-employment drug testing.
- 49 CFR Part 40.331 requires that applicants that are applying to perform safety sensitive functions fill out and sign a release of Drug and Alcohol Testing information if they are currently working for/or previously worked for another agency that follows DOT Regulations. The form is then forwarded to the current employer and previous employers to be filled out and returned to your agency for review.

Drug and Alcohol Testing Files

- All drug and alcohol testing files must be kept in a locked file cabinet.
- Records must be kept separate from medical and personnel records.
- Only the Designated Employee Representative (DER) and Alternate DER shall have access to these files.
- The file folders can be individual employee folders or by year and type of test.
- Records must be maintained in accordance with the criteria set up by the DOT.

Contact Information

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