

VI. Prohibited Conduct

A. Alcohol concentration

A driver is prohibited from reporting for duty or remaining on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater. No supervisor or manager having actual knowledge that a driver has an alcohol content of 0.04 or greater shall permit a driver to perform or continue to perform safety-sensitive functions.

Drivers are prohibited from performing safety-sensitive functions for 24 hours following an alcohol test result indicating an alcohol concentration of 0.02 or greater but less than 0.04.

B. Alcohol possession

A driver is prohibited from being on duty or operating a commercial motor vehicle while the driver possesses alcohol, unless the alcohol is manifested and transported as part of a shipment. Supervisors or managers having actual knowledge that a driver possesses unmanifested alcohol may not permit a driver to drive or continue to drive a commercial vehicle.

C. On-duty use

A driver is prohibited from using alcohol while performing safety-sensitive functions. No supervisor or manager having actual knowledge that a driver is using alcohol while performing safety-sensitive functions shall permit the driver to perform or continue to perform safety-sensitive functions.

D. Pre-duty use

A driver is prohibited from performing safety-sensitive functions within four (4) hours after using alcohol. No supervisor or manager having actual knowledge that a driver has used alcohol within four hours shall permit a driver to perform or continue to perform safety-sensitive functions.

(NOTE: Employees are cautioned that refraining from alcohol for four (4) hours before reporting for duty may not result in a negative test).

E. Use following an accident

A driver required to take a post-accident alcohol test is prohibited from using alcohol for eight (8) hours following the accident, or until he/she undergoes a post-accident alcohol test, whichever occurs first. (See requirements for post-accident testing in Para. IX, C.)

F. Refusal to submit to a required alcohol or controlled substances test

A driver is prohibited from refusing to submit to a post accident, random, reasonable suspicion, return-to-duty or follow-up alcohol or controlled substances test required under the law. No supervisor or manager shall permit a driver who refuses to submit to such test to perform or continue to perform safety-sensitive functions.

H. Controlled substances use

1. A driver is prohibited from reporting for duty or remaining on duty when the driver uses any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect their ability to safely perform their duties.
2. No supervisor or manager having actual knowledge that a driver has used a controlled substance shall permit the driver to perform or continue to perform a safety-sensitive function.

I. Controlled substances testing

A driver is prohibited from reporting for duty, remaining on duty, or performing a safety-sensitive function if the driver tests positive for controlled substances. No employer having actual knowledge that a driver has tested positive for controlled substances shall permit the driver to perform or continue to perform safety-sensitive functions.