

DRUG & ALCOHOL TESTING RULES COMPARISON CHART BY DOT AGENCY

PROGRAM REQUIREMENTS	FMCSA 49 CFR Part 382.xxx	PHMSA 49 CFR Part 199.xxx	USCG Dept. of Homeland Security 46 CFR Part 16.xxx (See Note #2)	FAA 14 CFR Part 120.xx	FRA 49 CFR Part 219.xxx	FTA 49 CFR Part 655.xx
DRUG, PRE-EMPLOYMENT	YES .301	YES .105	YES .210	YES .109 (a)	YES .501	YES .41
DRUG, POST-ACCIDENT (WITHIN 32 HRS.)	YES .303	YES .105	YES .240	YES .109 (c)	YES .201	YES .44
DRUG, RANDOM (Current Year)	25% .305	25% .105	25% .230	25%	25% .601 Hours of Services (HOS) 50% Maintenance of Way (MOW)	25% .45
DRUG, REASONABLE SUSPICION	YES .307	YES .105	YES .250	YES .109 (d)	YES .300	YES .43
DRUG, RETURN-TO-DUTY (49 CFR Part 40, Subpart O)	YES .309	YES .105	YES .201	YES .109 (e)	YES .401 & .405	YES .46
DRUG, FOLLOW-UP (49 CFR Part 40, Subpart O)	YES .311	YES .105	MRO determines when a crewmember returns to work and provides follow-up schedule	YES .109 (f)	YES .401 & .405	YES .47
ALCOHOL, PRE-EMPLOYMENT (Note #1)	OPTIONAL .301	OPTIONAL .209	(not addressed)	OPTIONAL .217 (a)	OPTIONAL .502	OPTIONAL .42
ALCOHOL, POST-ACCIDENT (WITHIN 2 to 8 HRS.)	YES .303	YES .225	YES .240 (Also reference 33 CFR Part 95)	YES .217 (b)	YES .201 Urine or Blood for live persons (Breath allowed as well) Tissues required for Deceased Employee	YES .44
ALCOHOL, RANDOM (Current Year)	10% .305	NO	NO	10% .217 (c)	10% .625 (HOS) 25% .625 (MOW)	10% .45
ALCOHOL, REASONABLE SUSPICION	YES .307	YES .225	YES Screening Test Device on NHTSA CPL list can be used	YES .217 (d)	YES .300	YES .43
ALCOHOL, RETURN-TO-DUTY (49 CFR Part 40, Subpart O)	YES .309	YES .225	(not addressed)	YES .217 (e)	YES .401 & .405	YES .46
ALCOHOL, FOLLOW-UP (49 CFR Part 40, Subpart O)	YES .311	YES .225	(not addressed)	YES .217 (f)	YES .401 & .405	YES .47
PERIODIC TESTING	No	No	Yes, for some positions. .220	No	No	No

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SUPERVISOR TRAINING – DRUG	60 MIN. .603 No Recurrent Training Requirement	60 MIN. .113 No Recurrent Training Requirement	TOTAL OF 1 HR. OF TRAINING- No Recurrent Training Requirement	60 MIN. .115 Recurrent Training Requirement	TOTAL OF 3 HRS OF Training One hour must be about Post accidents.	60 MIN. .14
SUPERVISOR TRAINING – ALCOHOL	60 MIN. .603 No Recurrent Training Requirement	60 MIN. .241 No Recurrent Training Requirement	DONE WITH DRUG TRAINING	60 MIN. .223 No Annual Requirement		60 MIN. .14
EMPLOYEE EDUCATIONAL MATERIALS	YES .601	YES .113 & .239	YES .401 (EAP training and education for all crewmembers)	YES .115 Drug .223 Alcohol	YES .23	60 MIN. ON DRUGS .14
MANAGEMENT INFORMATION SYSTEM (MIS) REPORT (DUE BY 3/15)	YES, IF REQUESTED IN JANUARY .403	YES w/50 or more employees. .119 & .229 (Operators report to PHMSA. Contractors report to Operators usually through an Auditor.)	ANNUALLY .500	Annually for all 121 Certificate Holders. All other certificate holders w/50 or more employees. Upon request by FAA for all other than 121 Certificate holders w/ under 50 emps. .119 Drug, .219 Alcohol	ANNUALLY if 400K Hours Performed .800	Prepared annually. ONLY Submitted if Requested .72
WRITTEN POLICY REQUIRED?	YES .601	YES .101 & .239	YES .401	YES Drug .115 Alcohol .223	YES .23 & .401	YES .11 & .15
PREVIOUS DOT EMPLOYER D & A HISTORY 40.25	3 YRS., 390.5, 3/30/04	2 YRS.	2 YRS.	5 years for pilots. 2 years for all other employees.	2 YRS.	2 YRS.
OUT-OF-SERVICE TIME FOR ALCOHOL RESULT 0.02 BUT LESS THAN 0.04	24 HRS. NO RE-TEST .505	8 HRS. OR WHEN LESS THAN 0.02 .225 & .237	(not addressed)	8 HRS. OR WHEN LESS THAN 0.02 .221 (F)	8 HRS. NO RE-TEST .101	8 HRS. OR WHEN LESS THAN 0.02 .35 & .48
PRE-DUTY USE OF ALCOHOL	4 HRS. .207	4 HRS. OR AFTER NOTIFIED .219	4 HRS.	8 HRS. Flight Crewmembers, Flight Attendant, Air Traffic Controllers 4 HRS. Maintenance Personnel .17, .35	4 HRS. OR AFTER NOTIFIED .101	4 HRS. "ON-CALL" PROHIBITION .33
BLOOD TEST PERMITTED/REQUIRED FOR ALCOHOL?	NO	NO	BREATH or BLOOD (Depends if Fatality)	NO	REQUIRED FOR QUALIFYING POST- ACCIDENT	NO

#1 - MUST BE APPLIED ON AN EQUAL BASIS – ALL APPLICANTS OR ALL APPLICANTS FOR A CERTIN POSITION

#2 - POSITIVE TEST MUST BE REPORTED TO USCG IF EMPLOYEE HOLDS A MERCHANT MARINE CREDENTIAL ISSUED BY USCG, 46 CFR 16.201 (C)