

SAMPLE DRUG AND ALCOHOL POLICY*

(Federally Mandated Version)

*Be sure to review this document with your attorney prior to use.

Purpose

It is the policy of _____ (“the Company”) that its drivers be free of substance and alcohol abuse. Consequently, the use of illegal drugs by drivers is prohibited. Further, drivers shall not use alcohol or engage in “prohibited conduct” as defined herein. The overall goal of this policy is to ensure a drug and alcohol-free transportation environment and to reduce accidents, injuries, and fatalities.

Consequences Of Policy Violation

Any driver who becomes unqualified or engages in prohibited conduct as set forth herein may be subject to termination of employment.

Prohibited Conduct

The following shall be considered “prohibited conduct” for purposes of this policy:

No driver shall report for duty or remain on duty while having an alcohol concentration of .04 or greater.

No driver shall be on duty or operate a commercial motor vehicle while the driver possesses alcohol unless the alcohol is manifested and transported as part of a shipment.

No driver shall use alcohol while performing safety-sensitive functions.

No driver shall perform safety-sensitive functions within four (4) hours after using alcohol.

No driver required to take a post-accident alcohol test shall use alcohol for eight (8) hours following the accident or until he or she undergoes a post-accident alcohol test, whichever occurs first.

No driver shall refuse to submit to a post-accident, random, reasonable suspicion, return-to-duty, or follow-up alcohol or drug test.

No driver shall report for duty or remain on duty when the driver uses any controlled substance, except when use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver’s ability to operate a commercial motor vehicle.

If a driver engages in prohibited conduct, the driver is not qualified to drive a commercial motor vehicle and shall be immediately removed from service. The Company may, in its discretion, at the request of the driver, keep the driver’s position open while such driver attempts to become requalified. The Company may also take action against the driver up to and including termination.