



## CLASS A DRIVER New Hire Packet Addendum Instructions

**ALL of the following paperwork is to be turned in to the DOT CONTACT in Anaheim BEFORE the New Hire drives a Power Plus Vehicle. DO NOT send this paperwork to HR.**

**Applicant MUST Speak, Read and Write in ENGLISH and MUST be at least 21 years of age to be a Driver.**

1. Get a LEGIBLE copy of the New Hire's CURRENT Driver's License.
2. Get a copy of the New Hire's Medical Certificate. This must be a Commercial Driver Fitness Exam.
3. New Hire MUST fill out the DRIVER'S APPLICATION. This must be filled out completely. Do not leave blank spaces. Make sure that all addresses are complete for previous employers for the past 3 years. Make sure the Safety check boxes are marked for each previous employer.
4. Include a copy of the New Hire's Receipt of Employee Handbook.
5. The New Hire MUST go to their location's designated Medical Clinic and have a DOT regulated Pre-Employment Drug Screen. **DO NOT SEND THE APPLICANT FOR A REGULAR PRE-EMPLOYMENT DRUG SCREEN.**
6. The New Hire MUST sign the Power Plus Drug & Alcohol Policy. Note that the policy is different for drivers compared to the policy in the Handbook.
7. The New Hire MUST sign the First page of the Drug & Alcohol Testing Booklet. **The Power Plus employee doing the orientation then must sign above "Facilitator's Signature"**. Tear out this page and include it in the packet to be turned in to your DOT Contact. Please contact the DOT Contact for these booklets or used the scanned copy.
8. The New Hire MUST completely fill out the Previous Pre-Employment Employee Alcohol & Drug Test Statement.
9. A. The New Hire MUST fill out the top portion of ONE Previous Employee Safety Performance History form for EACH EMPLOYER FOR THE PAST TWO YEARS. Do not leave any of the areas blank.  
  
B. The New Hire MUST fill out the highlighted portion of ONE Request for Information-From Previous Employer form for EACH employer he/she worked for in during the 3<sup>rd</sup> year back from the date of application. Do not leave any of the highlighted areas blank.



10. The New Hire MUST sign the Fair Credit Reporting Act Disclosure Statement. Please note that this form does not authorize Power Plus to run a credit report. It is solely for background checking and driving records.
11. The New Hire MUST fill out the TOP portion of the Authorization for Release of Driver Record Information form. This allows Power Plus to enroll them in the EPN program through the California DMV, which is required by the DOT. If the employee's license is not a CA license, please cross out "California" and write in the correct state.
12. The New Hire MUST completely fill out the Certification of Compliance with Driver License Requirements form.
13. The New Hire MUST completely fill out the Driver Statement of On Duty Hours. MAKE SURE THE "HOURS WORKED" ARE FILLED IN FOR THE LAST 7 DAYS. If there were no hours worked, please write "0". **The Power Plus employee doing the orientation then must sign the very bottom of the page next to "Witness".**
14. The New Hire must bring in a copy of a current DMV report for review before being hired. This report MUST be reviewed by a manager or Ray Pacheco to confirm that the record is acceptable.
15. Fill out the last page of the Hours of Service Packet. The New Hire must fill out Daily Driver. Please contact your DOT Contact if the driver will require a Log Book.

## CONTACT INFORMATION

Liz Kitchens:           Phone -       (714) 507-1881 ext. 1837  
                              Email -       [lkitchens@powerplus.com](mailto:lkitchens@powerplus.com)

Ray Pacheco:           Phone -       (714) 507-1881 ext. 1839  
                              Cell -        (714) 448-5702  
                              Email -       [rpacheco@powerplus.com](mailto:rpacheco@powerplus.com)



## CDL Driver Qualification File

DRIVER NAME:

STATE:

HIRE DATE:

TERM DATE:

LICENSE CLASS: **A**

LICENSE EXPIRATION:

MED. CERT. EXPIRATION:

- 1.) Driver's License
- 2.) Medical Examiner's Certificate
- 3.) DOT Application for Employment (Do Not Leave Any Blank Spaces)
- 4.) Receipt of Employee Handbook
- 5.) Pre Employment DOT Regulated Drug Screen Results
- 6.) Receipt of Company Drug & Alcohol Policy
- 7.) Receipt of Drug and Alcohol Awareness Booklet
- 8.) Previous Pre-Employment Employee Alcohol & Drug Test Statement
- 9.) Inquiry to Previous Employers (fill out 1 for each employer for the past 3 years)  
(3 years Safety Performance History)  
(2 years drug/alcohol test history for Class A only)
- 10.) Fair Credit Reporting Act Disclosure Statement
- 11.) Authorization for Release of Driver Record Information
- 12.) Certification of Compliance with Driver License Requirements
- 13.) Driver Statement of On Duty Hours
- 14.) Initial DMV Report
- 15.) Receipt of Hours of Service Packet



**DRIVER'S APPLICATION  
FOR EMPLOYMENT**

**Power Plus! 1210 N. Red Gum St. Anaheim CA 92806**  
(Please Print)

Applicant Name \_\_\_\_\_ Date \_\_\_\_\_

**In compliance with Federal and State equal employment opportunity laws, qualified applicants are considered for all positions without regard to race, color, religion, sex, national origin, age, marital status, veteran status, non-job related disability, or any other protected group status.**

**TO BE READ AND SIGNED BY APPLICANT**

I authorize you to make such investigations and inquiries of my personal, employment, financial or medical history and other related matters as may be necessary in arriving at an employment decision. (Generally, inquiries regarding medical history will be made only if and after a conditional offer of employment has been extended.) I hereby release employers, schools, healthcare providers and other persons from all liability in responding to inquiries and releasing information in connection with my application.

In the event of employment, I understand that false or misleading information given in my application or interview(s) may result in discharge. I understand, also, that I am required to abide by all rules and regulations of the Company.

I understand that information I provide regarding current and/or previous employers may be used, and those employer(s) will be contacted, for the purpose of investigating my safety performance history as required by 49 CFR 391.23(d) and (e). I understand that I have the right to:

- Review information provided by previous employers;
- Have errors in the information corrected by previous employers and for those previous employers to re-send the corrected information to the prospective employer; and
- Have a rebuttal statement attached to the alleged erroneous information, if the previous employer(s) and I cannot agree on the accuracy of the information.

Signature \_\_\_\_\_ Date \_\_\_\_\_

**FOR COMPANY USE**

**PROCESS RECORD**

APPLICANT HIRED \_\_\_\_\_ REJECTED \_\_\_\_\_

DATE EMPLOYED \_\_\_\_\_ POINT EMPLOYED \_\_\_\_\_

DEPARTMENT \_\_\_\_\_ CLASSIFICATION \_\_\_\_\_  
(IF REJECTED, SUMMARY REPORT OF REASONS SHOULD BE PLACED IN FILE)

SIGNATURE OF INTERVIEWING OFFICER \_\_\_\_\_

**TERMINATION OF EMPLOYMENT**

DATE TERMINATED \_\_\_\_\_ DEPARTMENT RELEASE FROM \_\_\_\_\_

DISMISSED \_\_\_\_\_ VOLUNTARY QUIT \_\_\_\_\_ OTHER \_\_\_\_\_

TERMINATION REPORT PLACED IN FILE \_\_\_\_\_ SUPERVISOR \_\_\_\_\_

Position(s) Applied for \_\_\_\_\_

Name \_\_\_\_\_ Social Security No. \_\_\_\_\_  
Last First Middle

List your addresses of residency for the past 3 years.

Current Address \_\_\_\_\_  
Street City

State Zip Code Phone \_\_\_\_\_ How Long? \_\_\_\_\_  
yr./mo.

Previous Addresses \_\_\_\_\_ How Long? \_\_\_\_\_

Street City State & Zip code yr./mo.

Street City State & Zip code yr./mo.

Street City State & Zip code yr./mo.

Street City State & Zip code yr./mo.

Do you have the legal right to work in the United States? \_\_\_\_\_

Date of Birth \_\_\_\_\_ Can you provide proof of age? \_\_\_\_\_  
(Required for Commercial Drivers)

Have you worked for this company before? \_\_\_\_\_ Where? \_\_\_\_\_

Dates: From \_\_\_\_\_ To \_\_\_\_\_ Rate of Pay \_\_\_\_\_ Position \_\_\_\_\_

Are you now employed? \_\_\_\_\_ If not, how long since leaving last employment? \_\_\_\_\_

Who referred you? \_\_\_\_\_ - \_\_\_\_\_ Rate of pay expected \_\_\_\_\_

Have you ever been bonded? \_\_\_\_\_ Name of bonding company \_\_\_\_\_  
(Answer only if a job requirement)

Have you ever been convicted of a felony? \_\_\_\_\_

If yes, please explain fully on a separate sheet of paper. Conviction of a crime is not an automatic bar to employment-all circumstances will be considered.

Is there any reason you might be unable to perform the functions of the job for which you have applied (as described in the attached job description)?

If yes, explain if you wish.

### EMPLOYMENT HISTORY

All driver applicants to drive in interstate commerce must provide the following information on all employers during the preceding 3 years. List complete mailing address, street number, city, state and zip code.

Applicants to drive a commercial motor vehicle\* in intrastate or interstate commerce shall also provide an additional 7 years' information on those employers for whom the applicant operated such vehicle.

(NOTE: List employers in reverse order starting with the most recent. Add another sheet as necessary.)

EMPLOYER	DATE			
	From Mo.	Yr.	To Mo.	Yr.
NAME	Position Held			
ADDRESS	Salary/Wage			
CITY STATE ZIP CODE	Reason for Leaving			
CONTACT PERSON PHONE #	WERE YOU SUBJECT TO THE FMCSRs+ WHILE EMPLOYED? YES NO			
WAS YOUR JOB DESIGNATED AS A SAFETY-SENSITIVE FUNCTION IN ANY DOT-REGULATED MODE SUBJECT TO THE DRUG AND ALCOHOL TESTING REQUIREMENTS OF 49 CFR PART 40? YES NO				

### EMPLOYMENT HISTORY CONTINUED

EMPLOYER		DATE	
NAME		From Mo. Yr.	To Mo. Yr.
ADDRESS		Position Held	
CITY	STATE ZIP CODE	Salary/Wage	
CONTACT PERSON	PHONE #	Reason for Leaving	
WERE YOU SUBJECT TO THE FMCSRs+ WHILE EMPLOYED? YES NO			
WAS YOUR JOB DESIGNATED AS A SAFETY-SENSITIVE FUNCTION IN ANY DOT-REGULATED MODE SUBJECT TO THE DRUG AND ALCOHOL TESTING REQUIREMENTS OF 49 CFR PART 40? YES NO			

EMPLOYER		DATE	
NAME		From Mo. Yr.	To Mo. Yr.
ADDRESS		Position Held	
CITY	STATE ZIP CODE	Salary/Wage	
CONTACT PERSON	PHONE #	Reason for Leaving	
WERE YOU SUBJECT TO THE FMCSRs+ WHILE EMPLOYED? YES NO			
WAS YOUR JOB DESIGNATED AS A SAFETY-SENSITIVE FUNCTION IN ANY DOT-REGULATED MODE SUBJECT TO THE DRUG AND ALCOHOL TESTING REQUIREMENTS OF 49 CFR PART 40? YES NO			

EMPLOYER		DATE	
NAME		From Mo. Yr.	To Mo. Yr.
ADDRESS		Position Held	
CITY	STATE ZIP CODE	Salary/Wage	
CONTACT PERSON	PHONE #	Reason for Leaving	
WERE YOU SUBJECT TO THE FMCSRs+ WHILE EMPLOYED? YES NO			
WAS YOUR JOB DESIGNATED AS A SAFETY-SENSITIVE FUNCTION IN ANY DOT-REGULATED MODE SUBJECT TO THE DRUG AND ALCOHOL TESTING REQUIREMENTS OF 49 CFR PART 40? YES NO			

EMPLOYER		DATE	
NAME		From Mo. Yr.	To Mo. Yr.
ADDRESS		Position Held	
CITY	STATE ZIP CODE	Salary/Wage	
CONTACT PERSON	PHONE #	Reason for Leaving	
WERE YOU SUBJECT TO THE FMCSRs+ WHILE EMPLOYED? YES NO			
WAS YOUR JOB DESIGNATED AS A SAFETY-SENSITIVE FUNCTION IN ANY DOT-REGULATED MODE SUBJECT TO THE DRUG AND ALCOHOL TESTING REQUIREMENTS OF 49 CFR PART 40? YES NO			

\*Includes vehicles having a GVWR of 26,001 lbs. or more, vehicles designed to transport 16 or more passengers (including the driver), or any size vehicle used to transport hazardous materials in a quantity requiring placarding.

+The Federal Motor Carrier Safety Regulations (FMCSRs) apply to anyone operating a motor vehicle on a highway in interstate commerce to transport passengers or property when the vehicle: (1) weighs or has a GVWR of 10,001 lbs. or more, (2) is designed or used to transport more than 8 passengers (including the driver), OR (3) is of any size and is used to transport hazardous materials in a quantity requiring placarding.

**ACCIDENT RECORD FOR PAST 3 YEARS OR MORE (ATTACH SHEET IF MORE SPACE IS NEEDED) IF NONE, WRITE NONE**

DATES	NATURE OF ACCIDENT	FATALITIES	INJURIES	HAZARDOUS MATERIAL
-------	--------------------	------------	----------	--------------------

	(HEAD-ON, REAR-END, UPSET, ETC.)			SPILL
LAST ACCIDENT _____	_____	_____	_____	_____
NEXT PREVIOUS _____	_____	_____	_____	_____
NEXT PREVIOUS _____	_____	_____	_____	_____

**TRAFFIC CONVICTIONS AND FORFEITURES FOR THE PAST 3 YEARS (OTHER THAN PARKING VIOLATIONS) IF NONE, WRITE NONE**

LOCATION	DATE	CHARGE	PENALTY

(ATTACH SHEET IF MORE SPACE IS NEEDED)

**EXPERIENCE AND QUALIFICATIONS--DRIVER**

List all driver licenses or permits held in the past 3 years

DRIVER LICENSES	STATE	LICENSE #	TYPE	EXPIRATION DATE

- A. Have you ever been denied a license, permit or privilege to operate a motor vehicle? YES \_\_\_\_\_ NO \_\_\_\_\_  
 B. Has any license, permit or privilege ever been suspended or revoked? YES \_\_\_\_\_ NO \_\_\_\_\_

IF THE ANSWER TO EITHER A OR B IS YES, GIVE DETAILS \_\_\_\_\_

**DRIVING EXPERIENCE CHECK YES OR NO**

CLASS OF EQUIPMENT	CIRCLE TYPE OF EQUIPMENT	DATES FROM(M/Y) TO(M/Y)		APPX. # OF MILES (TOTAL)
STRAIGHT TRUCK YES NO	(VAN, TANK, FLAT, DUMP, REFER)			
TRACTOR AND SEMI-TRAILER YES NO	(VAN, TANK, FLAT, DUMP, REFER)			
TRACTOR - TWO TRAILERS YES NO	(VAN, TANK, FLAT, DUMP, REFER)			
TRACTOR - THREE TRAILERS YES NO	(VAN, TANK, FLAT, DUMP, REFER)			
MOTOR COACH - SCHOOL BUS (MORE THAN 8 PASSENGERS) YES NO	----			
MOTORCOACH - SCHOOL BUS (MORE THAN 15 PASSENGERS) YES NO	----			
OTHER _____				

LIST STATES OPERATED IN FOR LAST FIVE YEARS: \_\_\_\_\_

SHOW SPECIAL COURSES OR TRAINING THAT WILL HELP YOU AS A DRIVER: \_\_\_\_\_

**EXPERIENCE AND QUALIFICATIONS-OTHER**

SHOW ANY TRUCKING, TRANSPORTATION OR OTHER EXPERIENCE THAT MAY HELP IN YOUR WORK FOR THIS COMPANY:

LIST COURSES AND TRAINING OTHER THAN SHOWN ELSEWHERE IN THIS APPLICATION: \_\_\_\_\_

LIST SPECIAL EQUIPMENT OR TECHNICAL MATERIALS YOU CAN WORK WITH (OTHER THAN THOSE ALREADY SHOWN): \_\_\_\_\_

**EDUCATION**

CIRCLE HIGHEST GRADE COMPLETED: 1 2 3 4 5 6 7 8 HIGH SCHOOL: 1 2 3 4 COLLEGE: 1 2 3 4  
 LAST SCHOOL ATTENDED: \_\_\_\_\_ CITY/STATE: \_\_\_\_\_

**TO BE READ AND SIGNED BY APPLICANT**

This certifies that this application was completed by me, and that all entries on it and information in it are true and complete to the best of my knowledge.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# DRUG AND ALCOHOL POLICY

## POWER PLUS !

The purpose of this policy is to ensure public safety and to maintain a safe, and productive work environment for all employees by preventing accidents or other dangerous incidents that may result from drug or alcohol use. This policy pertains to all employees of the company who have cause to be on company vehicles and or properties.

*Policy Statement:*

The possession, use, or sale of alcohol or illegal drugs on company property is strictly prohibited. The company will not tolerate or condone alcohol misuse or substance abuse. It is our policy to maintain a workplace free from alcohol and drug abuse and it's effects.

The company will require drug testing of applicants for employment in safety sensitive positions. Any applicant who refuses to submit to the test will no longer be considered eligible for employment.

The company will require drug testing of employees who hold safety-sensitive positions as defined in 49 CFR 382.107.

Drug testing will be conducted in accordance with the US Department of Transportation and or the California Public Utilities Commission rules and regulations. Specifically, individuals will be tested for the presence of controlled substances (marijuana, cocaine, opiates, amphetamines, phencyclidine and alcohol) and will be subject to pre-employment, reasonable cause, random, follow-up and post accident testing. Tests must be negative for the presence of controlled substances.

Employees found to be in violation of this policy either directly possessing or using alcohol or drugs, as described above, or through a MRO verified positive drug test will be immediately removed from his safety sensitive position and will be subject to termination or separation from his employment. An employee cannot be returned to safety-sensitive duties with this or any other company until he/she has been evaluated by a substance abuse professional, successfully complied with the recommended program and has a negative result on a return to duty drug test.

Any employee who fails to cooperate with the requirements set forth in this policy, including refusal to test, failure to provide a specimen within a reasonable amount of time, failure to report to the testing facility, adulteration of a specimen will be subject to disciplinary action which may include termination of employment.

Information concerning drug and or alcohol test results will be treated as confidential information. This information will be released only to designated management representatives and government agencies where required by law or regulations.

All testing is to be completed by certified collectors and laboratories.

Your program administrator is \_\_\_\_\_. Please direct all questions to him/ her.

*Policy Acknowledgment:*

I, \_\_\_\_\_ acknowledge that I have read the company policy and I fully understand that violation of this policy will be grounds for disciplinary action up to and including termination.

**SIGNATURE OF DRIVER** \_\_\_\_\_ **DATED** \_\_\_\_\_



# Drug & Alcohol Testing:

*Training and Awareness*



*Driver Handbook*



**J. J. Keller**  
& Associates, Inc.  
Since 1953

## DRIVER'S RECEIPT

I acknowledge receipt of Keller's *Drug & Alcohol Testing: Training and Awareness Driver Handbook* containing the following awareness topics:

- Introduction
- Abbreviations
- Definitions
- Who is Covered by the Drug and Alcohol Regulations?
- What is a Safety-sensitive Function?
- What are the Alcohol and Drug Prohibitions?
- What Tests are Required and When Will I Be Tested?
  - Pre-employment
  - Post-accident
  - Random
  - Reasonable Suspicion
  - Return-to-duty and Follow-up
- What Happens if I Refuse to Be Tested?
- How is Drug and Alcohol Testing Performed?
- What are the Consequences of Violating the Drug and Alcohol Prohibitions?
- Where Can I Go for Help?
  - Self-admission of Alcohol and Drug Use
- What are the Effects of Drugs and Alcohol on the Body?

\_\_\_\_\_  
*Driver's Signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Company*

\_\_\_\_\_  
*Facilitator's Signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Company*

**NOTE:** This receipt shall be read and signed by the driver. A responsible company supervisor shall countersign the receipt and place it in the driver's training file.

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**J. J. Keller & Associates, Inc.**

3003 W. Breezewood Lane - P.O. Box 368  
Neenah, Wisconsin 54957-0368

USA

Phone: (800) 327-6868

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# **Drug & Alcohol Testing: Training and Awareness Driver Handbook**

## **Introduction**

This handbook provides a general overview of the Department of Transportation regulations on drug and alcohol use. A review of the effects of alcohol and certain drugs on the body is also included. Throughout this handbook "substance abuse" may be used in place of the terms "alcohol abuse" or "drug abuse" in reference to both substances. Chemical dependency comprises all chemicals, whether they are controlled substances or alcohol. In addition to this handbook you will receive a copy of your company's drug and alcohol policy and the name of the person who can answer any questions you may have about the drug and alcohol regulations.

## **Abbreviations and Terms You Should Know**

### *Abbreviations*

<b>BAT</b>	Breath Alcohol Technician
<b>CDL</b>	Commercial Driver's License
<b>CMV</b>	Commercial Motor Vehicle
<b>DER</b>	Designated Employer Representative
<b>DHHS</b>	Department of Health and Human Services
<b>DOT</b>	Department of Transportation
<b>EAP</b>	Employee Assistance Program
<b>EBT</b>	Evidential Breath Testing Device
<b>MRO</b>	Medical Review Officer
<b>STT</b>	Screening Test Technician

## Definitions

### Actual Knowledge

Knowledge by an employer that a driver has used alcohol or controlled substances based on the employer's direct observation of the driver, information provided by the driver's previous employer(s), a traffic citation for driving a commercial motor vehicle (CMV) while under the influence of alcohol or a controlled substance, or a driver's admission of alcohol or controlled substance use under the provisions of Sec. 382.121.

### Alcohol

Intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.

### Alcohol Concentration (or Content)

Alcohol in a volume of breath (shown as grams of alcohol per 210 liters of breath) as indicated by an evidential breath test.

### Alcohol Screening Device (ASD)

A breath or saliva device, other than an evidential breath testing device (EBT), that is approved by the National Highway Traffic Safety Administration (NHTSA) and placed on a conforming products list (CPL) for such devices.

### Alcohol Use

Consumption of any beverage, mixture, or preparation, including medications containing alcohol.

### Breath Alcohol Technician (BAT)

An individual who instructs and assists individuals in the alcohol testing process and operates an evidential breath testing device (EBT).

### Commercial Motor Vehicle (CMV)

A "CMV" is defined as a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the vehicle:

- has a gross combination weight rating of 26,001 or more pounds (including a towed unit with a gross vehicle weight rating of more than 10,000 pounds); **or**
- has a gross vehicle weight rating of 26,001 or more pounds; **or**
- is designed to transport 16 or more passengers, including the driver; **or**
- is of any size and is used in the transportation of enough hazardous materials to require placarding.

### Confirmation Test

*In testing for alcohol:* a second test, following a screening test with a result of 0.02 or greater, that provides quantitative data of alcohol concentration. An evidential breath testing device must be used.

*In testing for controlled substances,* a second procedure to:

- Identify and quantify the presence of a specific drug or metabolite; **or**
- Further support a validity test result in the case of an adulterated, diluted, or substituted specimen.

In order to ensure reliability and accuracy, this test is separate from and uses a different technique and chemical principle from that of the screening test.

### Confirmed Drug Test

A confirmation test result received by a medical review officer (MRO) from a laboratory.

### Controlled Substances

In the regulation, the terms "drugs" and "controlled substances" are interchangeable and have the same meaning.

Unless otherwise provided, these terms refer to:

- Marijuana;
- Cocaine;
- Opiates;
- Phencyclidine (PCP); and

- Amphetamines.

**Designated Employer Representative (DER)**

An individual identified by the employer who is:

- Able to receive communications and test results from service agents;
- Authorized to take immediate actions to remove drivers from safety-sensitive duties; and
- Able to make required decisions in the testing and evaluation processes.

The individual must be an employee of the company. Service agents cannot serve as DERs.

**Driver**

Any person who operates a commercial motor vehicle (CMV), including:

- Full time, regularly employed drivers
- Casual, intermittent or occasional drivers
- Leased drivers, independent, owner-operator contractors who are either directly employed by or under lease to an employer or who operates a commercial motor vehicle (CMV) at the direction of or with the consent of an employer.

**Evidential Breath Testing Device (EBT)**

A device used for alcohol breath testing that has been approved by the National Highway Traffic Safety Administration.

**Medical Review Officer (MRO)**

A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving and reviewing laboratory results generated by an employer's drug testing program. The MRO must have knowledge about and clinical experience in substance abuse disorders and appropriate medical training to interpret and evaluate an individual's confirmed positive test result together with his/her medical history and other relevant biomedical information.

**Safety-sensitive Function(s)**

A driver is considered to be performing a safety-sensitive function when he/she begins to work—or is required to be in readiness to work—until the time he/she is relieved from work and all responsibilities for performing work. Safety-sensitive functions include six specific items found in Section 382.107 of the Federal Motor Carrier Safety Regulations. (See Page 6 of this handbook.)

**Screening Test (Initial Test)**

*In testing for alcohol:* a procedure to determine if a driver has a prohibited concentration of alcohol in his/her system.

*In testing for controlled substances:* a test to eliminate "negative" urine specimens from further consideration or to identify a specimen that requires additional testing for the presence of drugs.

**Screening Test Technician (STT)**

A person who instructs and assists employees in the alcohol testing process and operates an alcohol screening device (ASD).

**Stand-down**

The practice of temporarily removing a driver from the performance of safety-sensitive functions based only on a report from a laboratory to the medical review officer (MRO) of a confirmed positive drug test for a drug or drug metabolite, an adulterated test, or a substituted test, before the MRO has completed verification of the test results.

**Substance Abuse**

Refers to patterns of use that result in health consequences or impairment in social, psychological, and occupational functioning.

**Substance Abuse Professional (SAP)**

A licensed physician (medical doctor or doctor of osteopathy), or licensed or certified psychologist, social worker, employee assistance professional, or certified addiction counselor who evaluates employees who have violated a DOT drug and alcohol regulation. The SAP makes recommendations concerning education, treatment, follow-up testing, and aftercare.

## Who is Covered by the Drug and Alcohol Regulations?

The Federal Motor Carrier Safety Administration, Department of Transportation Drug and Alcohol regulations apply to every person who operates a commercial motor vehicle (CMV) in interstate or intrastate commerce in the United States, and is subject to the commercial driver's license (CDL) requirements of Part 383 and his/her employer. It also applies to drivers who operate CMVs in the United States and are subject to the Licencia Federal de Conductor (Mexico) or the CDL requirements of the Canadian National Safety Code.

## What is a Safety-sensitive Function?

Safety-sensitive functions for operators of commercial motor vehicles (CMV) are listed under Sec. 382.107.

Safety-sensitive function means all time from the time a driver begins work or is required to be in readiness to work until the time he/she is relieved from work and all responsibilities for performing work.

### Safety-sensitive functions include:

- All time at an employer or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the employer;
- All time inspecting equipment as required by Sec. 392.7 and Sec. 392.8 or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time;
- All time spent at the driving controls of a commercial motor vehicle in operation;
- All time, other than driving time, in or upon any commercial motor vehicle except time resting in a sleeper berth;
- All time loading or unloading a commercial motor vehicle; supervising or assisting in the loading or unloading;

attending a commercial motor vehicle being loaded or unloaded; remaining in readiness to operate the commercial motor vehicle; or in giving or receiving receipts for shipments loaded or unloaded; and

- All time repairing, obtaining assistance, or remaining in attendance upon a disabled commercial motor vehicle.

## What are the Alcohol and Drug Prohibitions?

The DOT refers to the restrictions for the use of both alcohol and controlled substances as prohibitions.

### Alcohol prohibitions include:

- Use while performing a safety-sensitive function;
- Use during the 4 hours before performing a safety-sensitive function;
- Reporting for duty or remaining on duty to perform a safety-sensitive function with an alcohol concentration of 0.04 or greater;
- Use during the 8 hours following an accident, or until the driver undergoes a post-accident test; and
- Refusal to take a required test.

*NOTE: A driver found to have an alcohol concentration of 0.02 or greater but less than 0.04 may not perform, nor be permitted to perform, safety-sensitive functions for at least 24 hours.*

### Drug prohibitions include:

- Use of any drug, except by a doctor's prescription (and only if the doctor has advised the driver that the drug will **not** adversely affect the driver's ability to safely operate a commercial motor vehicle);
- Testing positive for drugs; and
- Refusal to take a required test.

*NOTE: An employer may require a driver to inform the employer of any therapeutic drug use.*

## **What Tests are Required and When Will I Be Tested?**

There are five situations where testing is done to determine the presence of alcohol and/or drugs.

### **1. Pre-employment Test**

*When:* A controlled substances test is required before a new hire or a person transferring into a driving position from elsewhere in the company can perform any safety-sensitive function.

A pre-employment alcohol test is not required under Part 382 regulations, but an employer may conduct this type of test if the following criteria are met:

- The test must be conducted before the driver performs any safety-sensitive functions;
- The employer must treat all employees performing safety-sensitive functions the same (the employer may not test some employees and not others);
- The test must be conducted after the employer makes a contingent offer of employment or transfer, subject to the employee passing the test;
- All tests must follow Part 40 procedures; and
- The employee may not perform safety-sensitive functions if the test result is 0.04 or more.

### **2. Post-accident Test**

*When:* An alcohol test is required following an accident when:

- A life was lost;
- A driver was cited within 8 hours of the accident for a

moving traffic violation **and** the accident involved injury requiring medical treatment away from the scene;

**- OR -**

- A driver was cited within 8 hours of the accident for a moving traffic violation **and** the accident resulted in the towing of one or more vehicles from the scene.

Post-accident alcohol testing should be done within 2 hours of the accident. If the test cannot be performed within 2 hours, the employer must prepare a record stating why the test wasn't given. If the test cannot be performed within 8 hours, the employer should not give the test and must prepare a record stating why the test could not be given within that time.

A controlled substances test is required when:

- A life was lost;
- A driver was cited within 32 hours of the accident for a moving traffic violation **and** the accident involved injury requiring medical treatment away from the scene;

**- OR -**

- A driver was cited within 32 hours of the accident for a moving traffic violation **and** the accident resulted in the towing of one or more of the vehicles from the scene.

Post-accident drug testing must be performed within 32 hours. If the test cannot be performed within 32 hours, the employer should not give the test and must prepare a record stating why the test could not be given within that time.

Nothing in the regulations should delay medical attention for those who are injured. The employer must provide the necessary information and instructions to allow the driver to be tested or to get emergency medical care.

A driver subject to post-accident alcohol testing must remain available for testing. Not remaining available for testing is considered as a refusal to test.

The employer must provide drivers with necessary post-accident information, procedures, and instructions **before** the driver operates a commercial motor vehicle.

### 3. Random Test

**When: Random testing for alcohol** must be completed just before, during, or immediately after performing a safety-sensitive function. **Random testing for drugs** can be done anytime you are at work for your employer. Once you are notified that you have been selected for testing, you must proceed immediately to the test site.

Unannounced random testing is required for a certain percentage of drivers each year. The tests must be reasonably spaced throughout the year. The random selection process must ensure that each driver has an equal chance of being tested each time selections are made. One method is a computer-generated system using your Social Security number, payroll identification number, or other identifying number. Methods such as pulling names out of a hat are not acceptable.

*Testing rates are as follows:*

- 10% of the average number of driver positions must be randomly tested for alcohol during the year.
- 50% of the average number of driver positions must be randomly tested for controlled substances during the year.

*NOTE: DOT may change the testing rates. Since 1998, the random alcohol testing rate has been 10% of the average number of driver positions. Prior to 1998, the rate was 25%. Due to the potential for change, these rates should be verified with your supervisor.*

### 4. Reasonable Suspicion Test

**When:** If the employer has reason to believe that your behavior or appearance may indicate alcohol or drug use.

Observations for **alcohol testing** must be made just before, during, or just after the performance of a safety-sensitive function. Observations for **drug testing** may be made at any time while you are at work for your employer.

*Testing for reasonable suspicion must be based on:*

- The observations of a trained supervisor; and
- Specific, clearly stated observations concerning your appearance, behavior, speech or body odor.

**IMPORTANT POINTS TO REMEMBER ...**

- The supervisor who makes the observation and determines that reasonable suspicion testing should be done **may not** be the one who conducts the alcohol test on the driver.
- If the alcohol test cannot be given within 2 hours of the observation, the employer must prepare a record stating why the test could not be given.
- If the alcohol test cannot be given within 8 hours of the observation, the employer should not give the test and must prepare a record stating why the test could not be given.
- Even if reasonable suspicion is observed but a test could not be done, you cannot perform safety-sensitive functions until:
  - ✓ A test is done and your alcohol concentration is determined to be less than 0.02  
— **OR** —
  - ✓ 24 hours have passed from the time of the initial observation.

- Your employer may not take action against you regarding alcohol misuse unless an alcohol test was administered within the required timetable.



- The chronic and withdrawal effects of drugs, as well as the conditions listed above, are used to determine reasonable suspicion for drug testing.
- Documentation of the driver's conduct must be prepared and signed by the supervisor who made the observations within 24 hours of the observed behavior, or before the results of the alcohol or drug test are released, whichever is first.

## 5. Return-to-Duty and Follow-up Tests

*When:* Return-to-duty testing is required for drivers who tested positive for drugs, failed an alcohol test, or refused to take a drug or alcohol test. In order to return to performing safety-sensitive functions an alcohol concentration of less than 0.02 and/or a negative drug test is required. There are also referral, evaluation and treatment requirements that must be met.

*When:* Follow-up testing is required for drivers who tested positive for drugs, failed an alcohol test, or refused to take a drug or alcohol test. The regulations call for a minimum of six (6) tests during the first year back in a safety-sensitive position. However, follow-up testing can continue for up to five (5) years.

## What Happens if I Refuse to Be Tested?

As part of the alcohol and drug regulations, you must submit to alcohol and drug testing. A refusal to test is treated the same as a positive test. If you refuse to be tested, you cannot continue to perform safety-sensitive functions.

*"Refusal" occurs when:*

- You fail to appear for any test within a reasonable time
- You fail to remain at the testing site until the testing process is complete

- You fail to provide:
    - a urine specimen for drug testing or
    - a saliva or breath specimen for alcohol testing
  - You fail to provide enough urine and there is no medical explanation for the failure
  - In the case of a directly observed or monitored drug test collection, you fail to permit the observation or monitoring of your provision of the specimen;
  - You fail or decline taking a second drug test when directed by an employer or collector
  - You fail to undergo a medical examination or evaluation as part of:
    - the verification process for drug testing or as directed by the designated employer representative (DER)
    - "shy bladder" procedures for drug testing or
    - insufficient breath procedures for alcohol testing
  - You fail to cooperate with any part of the testing process
- A verified adulterated or substituted drug test is also considered a refusal to test.

## How is Alcohol Testing Done?

All alcohol testing is conducted by a trained technician in a private setting where no one but you and the technician can see or hear the test results. A breath or saliva testing device approved by the National Highway Traffic Safety Administration must be used.

The technician will ask for photo identification (driver's license, employer issued identification). You may ask for the technician's identification as well.

The technician will complete the first part of the alcohol testing form, which includes your name, your company's name, and the reason for the test. You will be asked to complete the second

part of the form stating that you understand that you are about to be tested and that all information given is correct. **Refusal to sign the form is considered a refusal to take the test. Refusal to take the test is treated the same way as failing a test.**

A screening test is done first. If an evidential breath testing device (EBT) or non-evidential breath alcohol screening device (ASD) is used, an individually sealed mouthpiece will be opened in front of you and attached to the EBT or ASD. You must blow forcefully into the mouthpiece of the testing device for at least 6 seconds or until you have provided an adequate amount of breath for testing.

The technician must show you the reading on the device and enter the result on the testing form or (if the device prints the results) affix the printed results to the form with tamper-evident tape.

If a saliva testing device is used, the technician must check the expiration date on the device and show it to you. A device may not be used after its expiration date.

The technician must open the individually sealed package containing the device in front of you.

You or the technician will insert the swab into your mouth and allow it to be saturated with saliva. After the saliva is collected, the swab will be inserted into the testing device.

The result on the device must be read within 15 minutes of the test, but no sooner than specified by the manufacturer of the device.

The technician must show you the reading on the device and enter the result on the testing form.

If a breath tube ASD is used, the technician must check the device's expiration date and show it to you. A device may not be used after its expiration date.

The technician must remove the device from the package and break the tube's ampule in front of you. The technician will then put an inflation bag onto the end of the device.

You will be asked to blow into the device until the inflation bag fills with air (about 12 seconds).

Once this is completed the technician will take the device from you and wait for the reading to appear. The technician will compare the color of the crystals in the device with the colored crystals on the manufacturer-produced control tube within the time frame given by the manufacturer, but no later than 15 minutes after the test.

If the reading on the breath or saliva testing device is 0.02 or greater, a **confirmation test** must be done using an approved EBT. The test must be done after 15 minutes but within 30 minutes of the first test. You will be asked not to eat, drink, belch, or put anything in your mouth. These steps prevent the build-up of mouth alcohol, which could lead to an artificially high result. A new mouthpiece must be used for the confirmation test and an air blank must be conducted on the EBT. The result must be 0.00 for the test to proceed. Again, all of this must be done in front of you.

If the screening and confirmation test results are not the same, the confirmation test result is used.

The results of the confirmation test are forwarded to the employer. However, these records (positive, negative and refusal) are required to be released to any potential employers (with your consent) if you seek employment as a driver with another company.

Failing an alcohol test will be handled according to regulation and your company policy.

**Remember, if you refuse to be tested or refuse to sign the testing form, the technician will immediately notify your employer. Again, a refusal is treated the same way as failing an alcohol test.**

## How is Drug Testing Done?

All drug testing is done by analyzing a urine sample and is conducted by a trained collection site person in an appropriate, private setting. The urine sample may be collected at your place of employment or at a certified testing lab. In either case, the collection must be conducted by an individual trained in compliance with Part 40 of the regulations and in a location that is clean and equipped with all the necessary materials to collect and secure the urine sample(s).

To avoid a false positive test result and to ensure that your rights are being upheld, it is a good idea for you to understand the correct procedure for collecting specimens for testing. Too often, drivers realize that all or part of their drug testing was not conducted according to the regulations, but it's well after the test results have been released. If you have concerns about the way your drug test is being handled, consult your supervisor immediately and refer to the Drug Testing section of the Federal Motor Carrier Safety Regulations (FMCSRs).

### Regulated Documentation

The collection site, the laboratory and your carrier are required to follow the regulations for what's known as a *chain of custody* regarding your sample. This is the documentation that assures that the sample collected and tested is indeed the same one, and that steps have been taken to maintain the integrity of the test results. It tracks the specimen from the moment it is collected and stored up to the point that it is tested at the laboratory and the results are known.

A federal drug testing custody and control form must be used and filled out appropriately. Unless it can't possibly be avoided, the person who collects your sample should not be your direct supervisor.

### Specimen Collection

You should be positively identified by the collection site person

using some type of photo identification or be positively identified by a representative of your employer. You may request to see the collection site person's identification as well. If the collection is directly observed or monitored, that individual must be of the same gender as yourself.

You will be instructed to remove all unnecessary outer garments (coats, jackets, hats) and leave these garments along with any briefcase, purse, or other bag you may be carrying in a mutually agreeable location. You may keep your wallet. You will also be instructed to empty your pockets and display the items in them to ensure you are not carrying anything that could be used to tamper with a specimen. You will then be asked to wash and dry your hands prior to urination, immediately before providing a urine specimen.

Urine specimens must be collected in clean, single-use specimen bottles which are to remain in their protective, sealed wrapper until they can be unwrapped in front of you. This ensures that the specimen is not tainted or contaminated.

You will then be instructed to go into the room used for urination and provide a specimen of at least 45mL.

The temperature of the urine specimen must be taken within four minutes of collection and fall within the acceptable temperature range for testing (90-100 degrees F/32-38 degrees C).

If the collection site person suspects the urine sample has been contaminated or tampered with, any unusual signs must be recorded on the collection site form and you will be asked to provide a second sample. The first sample will still be tested as usual, but the second sample must be collected under direct observation of a same-gender collection site person.

The specimen is then divided into two containers by the collection site person and within your presence. This provides two samples for testing, should you dispute the results of the first test. These two samples, called *primary* and *split*, are sent to a testing laboratory certified by the Department of Health and

Human Services and must be tracked using the custody and control form.

Both you and the collection site person must keep the specimen in view at all times prior to the specimen container being sealed and labeled in your presence. The collection site person must place an identification label securely on the bottle containing the date, the individual specimen number, and any other identifying information required by your employer. (If separate from the label, a tamperproof seal must also be applied and initialed by you and the collection site person.)

You must then initial the identification label on the specimen bottle to certify that the specimen collected was yours.

Regardless of where the sample is collected, steps must be taken to ensure that no other persons are present or may gain access to the area or specimens, which could lead to a false positive result. This includes the process for shipping the sample(s) to the certified testing lab, which must follow Sec. 40.73 of the regulations.

### **Laboratory Analysis**

At the laboratory, an **initial test** is performed on the primary sample. If this test is positive for the presence of controlled substances, a **confirmation test** will be conducted.

### **Reporting the Results**

All test results must be reported to the medical review officer (MRO) in a timely manner, preferably the same day that the review of the specimen by the certifying scientist is completed. The laboratory and MRO must ensure that the results are transmitted in a confidential and secure manner.

### **Stand-down Provision**

An employer may not remove a driver from safety-sensitive functions (stand down) when the MRO receives a laboratory report of a confirmed positive, adulterated, or substituted drug test before the test result has been verified by the MRO.

An employer may apply for and receive a waiver from this prohibition by completing an application for a waiver with the Federal Motor Carrier Safety Administration. Consult your company policy and/or supervisor for details.

A review of the results must be done by an MRO, who is required to explore any possible medical explanations for a positive result or a result that indicates a specimen has been adulterated or substituted. At this time, the MRO must contact you about the test result and give you the opportunity to discuss the test result before making a final determination.

A positive test result or a result that indicates a specimen has been adulterated or substituted does not automatically mean you have used drugs and are in violation of DOT regulations. In order to find other possible reasons, the MRO may interview you, review your medical history, and/or review any other biomedical factors. The MRO must look at all medical records and data you give him/her, such as information on any prescribed medications you are using.

*After being notified of a positive test result or a result that indicates a specimen has been adulterated or substituted for the initial test, you have 72 hours to request the MRO for a test of the split specimen. If you make this request, the split specimen must be tested at a different Department of Health and Human Services certified laboratory.*

If you do not contact the MRO within 72 hours but can provide a legitimate reason for not doing so, the MRO may order the split specimen test at his/her discretion.

**Please note that removal from safety-sensitive duties as required by the regulations following a positive drug test is NOT delayed to await the result of the split specimen test.**

If the analysis of the split sample fails to confirm the presence of a drug, or reconfirm that the specimen was adulterated or

substituted, the MRO will cancel the test and report this to you and your employer.

The results of all tests must be forwarded to your employer in written form within three working days of completion of the MRO review. All records must be kept confidential. However, these records are required to be released to any potential employers (with your consent) if you seek employment as a driver with another carrier.

## **What are the Consequences of Violating the Alcohol or Drug Prohibitions?**

*If you fail an alcohol test:*

- You must be removed from all safety-sensitive functions.
- You may not return to a safety-sensitive function until an evaluation by a substance abuse professional (SAP) has been done, you have complied with prescribed treatment, and you pass a return-to-duty test. You are then subject to six follow-up tests in the first 12 months after your return to duty and may be subject to follow-up testing for up to five years.
- You may not return to safety-sensitive duties for at least 24 hours if alcohol concentration is determined to be 0.02 or greater but less than 0.04.
- Additional consequences of failing an alcohol test will be handled according to your company's policy.

*If you test positive for drug(s), or have a verified adulterated or substituted test result:*

- You must be removed from all safety-sensitive functions.
- You may not return to a safety-sensitive function until an evaluation by a substance abuse professional (SAP) has been done, you have complied with prescribed treatment, and you pass a return-to-duty test. You are then

subject to six follow-up tests in the first 12 months after your return to duty and may be subject to follow-up testing for up to five years.

- Additional consequences will be handled according to your company's policy.

## **Where Can I Go For Help?**

The drug and alcohol regulations require that your employer advise you of the resources available for appropriate treatment for alcohol and drug use. However, the regulations do not require an employer to pay for rehabilitation or to hold a job open for you while you undergo treatment. How these issues are handled depends upon your company's individual alcohol and drug policy.

If you violate an alcohol or drug prohibition, you will be evaluated by a substance abuse professional (SAP) to determine what specific help is needed. This helps ensure that people with alcohol and drug problems get referred to the appropriate agencies for assistance. You can ask your company's designated SAP for more information about treatment.

*Before you can return to safety-sensitive functions, you must:*

- Have an alcohol test of less than 0.02 and/or a verified negative drug test (depending on the violation).
  - Have complied with prescribed treatment.
- You must then complete a minimum of six (6) follow-up tests within the first year back to work. (Follow-up testing can be done for up to five (5) years after returning to safety-sensitive functions.)*

## **Self-admission of Alcohol and Drug Use**

The regulations include a provision that allows an employer to establish a program that lets a driver voluntarily admit to drug use or alcohol abuse without DOT consequences. Consult your

company policy or supervisor to determine whether your company has this type of program.

If an employer has a self-identification program, it must be in writing. The self-identification program must meet certain regulatory requirements:

1. An employer may not take disciplinary action against a driver who makes a voluntary admission of alcohol misuse or drug use if:
  - The driver's admission is in accordance with the employer's voluntary self-identification program;
  - The driver does not admit to a substance abuse problem in order to avoid required testing;
  - The driver admits to a substance abuse problem before performing a safety-sensitive function; and
  - The driver does not perform a safety-sensitive function until the employer is satisfied that the driver has been evaluated and has successfully completed education or treatment requirements in accordance with the self-identification program or policy guidelines.
2. A qualified voluntary self-identification program must:
  - Prohibit an employer from taking adverse action against a driver who voluntarily admits to alcohol misuse or drug use;
  - Allow the driver to seek evaluation, education, or treatment to establish control over his/her problem;
  - Permit the driver to return to safety-sensitive duties upon successful completion of an educational or treatment program as determined by a drug and alcohol abuse evaluation expert.
3. Before returning to a safety-sensitive function, the driver must undergo:
  - A return-to-duty alcohol test with a result of less than 0.02; and/or

- A return-to-duty drug test with a verified negative test result.

## What Are the Effects of Alcohol and Drugs on the Body?

### ALCOHOL

*A central nervous system depressant found in beer, wine, hard liquor and in some over-the-counter medications (for example: some allergy and cold medications).*

Alcohol is widely abused primarily due to its social acceptance and availability. It is considered a recreational beverage when consumed in moderation for enjoyment and relaxation during social gatherings. "Abuse" occurs when it is used primarily for its physical and mood-altering effects. About half of all auto accident fatalities in the United States are related to alcohol abuse.

#### Signs and Symptoms of Use:

- Dullled mental processes
- Lack of coordination
- Odor of alcohol on breath
- Pupils may be constricted
- Sleepy or stuporous condition
- Slowed reactions
- Slurred speech.

*NOTE: With the exception of the odor of alcohol, these are general signs and symptoms of any depressant substance.*

#### Other Effects:

- Greatly impaired driving ability
- Reduced coordination and reflex actions
- Impaired vision and judgement
- Inability to divide attention

- Lowering of inhibitions
- Headaches, nausea, dehydration, unclear thinking, unsettled digestion and aching muscles are associated with overindulgence (hangover).

### How Does it Work on the Body?

Alcohol first acts on the parts of the brain that affect self-control and other learned behaviors. Diminishing self-control often leads to aggressive behavior. In large doses, alcohol dulls sensations and impairs muscular coordination, memory, and judgment. Taken in large quantities over a long period of time, alcohol can damage the liver and heart, and may cause permanent brain damage. On average, heavy drinkers shorten their life span by about 10 years.

After ingestion, alcohol is absorbed through the stomach and intestine into the bloodstream. Here it passes through the liver, where it is metabolized in several steps. Metabolism helps prevent alcohol from accumulating in the body and destroying cells and organs. The liver can't metabolize alcohol as quickly as the body can absorb it. This is the point of intoxication. Any concentration of alcohol that remains unmetabolized can be detected and measured during a blood alcohol concentration test.

Many factors contribute to levels of alcohol absorption, rates of metabolism, and intoxication. Among them are: body size and weight, food ingested, gender, physical condition, and other drugs or medications in the body. Impairment begins with one drink.

### Health Effects:

Over time, chronic\* consumption of alcohol may result in the following health hazards.

- Liver damage
- Inflammation of the esophagus
- Aggravation of peptic ulcers

- Acute and chronic pancreatitis
- Malabsorption of food nutrients that may lead to malnutrition
- Heart attack
- Hypertension
- Stroke
- Immune system depression (makes body more susceptible to infections)
- Cancers of the liver, esophagus, nasopharynx or larynx
- Brain damage (dementia, blackouts, seizures, hallucinations, peripheral neuropathy).

\*Chronic consumption of alcohol = Average of three servings per day of 12 ounces of beer, one ounce of whiskey or six ounces of wine.

### How Alcohol Impairs Functions Needed For Driving:

The subtlety and complexity of the skills required to operate a motor vehicle safely make people susceptible to impairment from even low doses of alcohol. The evidence linking alcohol and transportation accidents is supported by experimental studies conducted by the National Institute on Alcohol Abuse and Alcoholism, relating the effect of alcohol on specific driving-related skills. Impairment is related to alcohol in terms of its concentration in the bloodstream. For example, a blood alcohol concentration (BAC) of 0.04 percent might be achieved by a 150-pound man consuming two drinks in one hour.

In driving, the eyes must focus briefly on important objects in the visual field and track them as they move (along with the vehicle). Low to moderate BACs (0.03 to 0.05 percent) interfere with voluntary eye movements, impairing the eye's ability to rapidly track a moving target.

Steering is a complex psychomotor task. A delay in the body's eye-to-hand reaction time is compounded by the visual effects described above, causing significant impairment in steering ability at about 0.035 percent BAC.

Alcohol impairs nearly every aspect of the brain's information processing. Alcohol impaired drivers require more time to read street signs or respond to traffic signals than unimpaired drivers. As a result, impaired drivers tend to look at fewer sources of information. A narrowing of the field of attention begins at about 0.04 percent BAC.

Drivers must divide their attention among many skills in order to keep a vehicle in the proper lane while monitoring the environment for vital safety information, such as other vehicles, traffic signals and pedestrians. Results of numerous studies show that a deficit in the ability to divide attention may occur at 0.02 percent BAC.

Facts:

- ✓ About two in every five Americans will be involved in an alcohol-related vehicle accident in their lifetime.
- ✓ The risk of a traffic fatality per mile driven is at least eight times higher for a drunk driver than a sober one.
- ✓ A 12-ounce can of beer, a 5-ounce glass of wine and a 1 ½ ounce shot of hard liquor all contain the same amount of alcohol.
- ✓ Each 1 ½ ounce of alcohol takes the average body about one hour to process and eliminate.
- ✓ Coffee, cold showers and exercise do not quicken sobriety.

**MARIJUANA**

*Also known as grass, pot, weed, gold, joint, hemp, reefer. Active chemical - THC.*

Marijuana is one of the most misunderstood and underestimated drugs of abuse. It is used for its mildly tranquilizing, mood and perception altering effects. It alters the brain's interpretation of incoming messages but does not depress the reactions of the central nervous system. It alters a person's sense of time and

reduces the ability to perform tasks requiring concentration, swift reflexes and coordination. The drug has a significant effect on a user's judgement, caution and sensory/motor abilities.

Signs and Symptoms of Use:

- Reddened eyes
- Slowed speech
- Distinctive, pungent odor on clothing (aroma of alfalfa combined with incense)
- Lackadaisical "I don't care" attitude
- Chronic fatigue and lack of motivation
- Irritating cough
- Chronic sore throat.

Other Effects:

- Restlessness
- Inability to concentrate
- Increased pulse rate and blood pressure
- Rapidly changing emotions and erratic behavior
- Impaired memory and attention
- Hallucinations, fantasies and paranoia
- Decrease in/temporary loss of fertility
- Distorted perception of time
- Apathy
- Delayed decision making
- Aggressive urges
- Anxiety
- Confusion
- Hallucinations.

Health Effects:

Over time, long-term inhalation of marijuana smoke may result in the following health hazards:

- Lung irritations



- Emphysema-like conditions
- Cancer
- Heart conditions
- Respiratory tract and sinus infections caused by the fungus Aspergillus, a common contaminant of marijuana
- Lowered immune system response
- Aggravation of ulcers
- Brain damage.

(Marijuana causes long-term negative effects on mental function—also known as “acute brain syndrome,” characterized by disorders in memory, cognitive function, sleep patterns and physical condition.)

#### How Marijuana Impairs Functions Needed For Driving:

Marijuana impairs driving ability for at least 4-6 hours after smoking one “joint” (cigarette); it impairs signal detection (ability to detect a brief flash of light); it impairs tracking (ability to follow moving objects with the eyes); it impairs visual distance measurements; and it chemically alters the brain and gross motor functioning of the body, having a direct impact on the complex system of critical thinking skills and reflexes that allow people to drive safely and conscientiously.

NOTE: THC is stored in body fat and is slowly released over time, causing a long-term effect on overall performance.

#### Facts:

- ✓ Marijuana remains in the body for 28 days. This is in contrast to alcohol which dissipates in a matter of hours.
- ✓ A 500% to 800% increase in THC potency in the past several years makes smoking three to five joints (cigarettes) per week today the equivalent of 15 to 40 joints per week in 1978.
- ✓ Combining marijuana with alcohol or other depressant drugs can produce a multiplied effect, increasing the impairment caused by all substances.

## COCAINE

*A stimulant drug also known as coke or blow when it is inhaled (snorted), ingested or injected. Free-base cocaine, known as crack or rock, is smoked.*

Cocaine is used medically as a local anesthetic. It is abused for its powerful physical and mental stimulant properties. The entire central nervous system is energized by cocaine. Heart rate and blood pressure are elevated. Muscles become more tense and the body burns more energy. The brain experiences an exhilaration caused by a large release of neurohormones associated with mood elevation.

Crack or rock cocaine gets its name from the popping sound heard when it is heated. The most dangerous effect of crack is that it can cause vomiting, rapid heart beat, tremors and convulsive movements. All of this muscle activity increases the demand for oxygen, which can result in a cocaine-induced heart attack. Since the heat regulating center in the brain is also disrupted, dangerously high body temperatures can occur. With high doses, brain functioning, breathing and heartbeat are depressed—leading to death.

#### Signs and Symptoms of Use:

- Fatigue
- Anxiety and agitation
- Runny or irritated nose
- Difficulty in concentration
- Dilated pupils and visual impairment
- High blood pressure, heart palpitations and irregular heart rhythm
- Insomnia
- Profuse sweating and dry mouth.

#### Other Effects:

- Impaired driving ability

- Hallucinations
- Talkativeness
- Restless, aggressive behavior
- Wide mood swings
- Increased physical activity
- Heightened, but momentary, feeling of confidence, strength and endurance
- Paranoia (which can trigger mental disorders in users prone to mental instability)
- Repeated sniffing/snorting causes irritation of the nostrils and nasal membrane, which may cause nosebleeds
- Compulsive behavior such as teeth grinding or repeated hand washing
- Craving for more cocaine.

Health Effects:

- Accelerated pulse, blood pressure and respiration. May cause spasms of blood vessels in the brain and heart, leading to ruptured vessels that lead to heart attack and stroke.
- Regular use may upset the chemical balance of the brain, which may speed up the aging process by causing irreparable damage to critical nerve cells.
- Mental dependency on crack cocaine occurs within days (within several months when coke is snorted).
- Cocaine is extremely dangerous when taken with depressant drugs. Death due to overdose can be rapid, and the potentially fatal effects of an overdose are often not reversible.

How Cocaine Impairs Functions Needed For Driving:

Cocaine chemically alters the brain and gross motor functioning of the body, having a direct impact on the complex system of critical thinking skills and reflexes that allow people to drive safely and conscientiously.

Facts:

- ✓ The number of cocaine overdose deaths has tripled in the last four years.
- ✓ Treatment success rates are lower for cocaine than for other chemical dependencies.
- ✓ Cocaine causes the strongest mental dependency of any known drug. Strong psychological dependency can occur within one "hit" of crack.
- ✓ Many people think that because crack is smoked, it is safer than other forms of cocaine use. It is not. Crack cocaine is one of the most addictive substances known today. The crack "high" is reached in 4-6 seconds and lasts about 15 minutes.

**AMPHETAMINES AND METHAMPHETAMINES**

*Stimulant drugs.*

*Some common street names for amphetamines are speed, uppers, black beauties, bennies, wake-ups and dexies.*

*Some common street names for methamphetamines are ice, crank, crystal, meth, 64 glass, cristy, go fast, zip, and in smoke-able form "LA" (as in the city of Los Angeles).*

Amphetamines and methamphetamines are drugs that stimulate the central nervous system and promote a feeling of alertness and an increase in speech and general physical activity. While amphetamines are usually sold in tablet form, methamphetamines are available as powder, and may be swallowed, snorted or injected.

Although they were widely prescribed at one time for weight reduction and mood elevation, the legal use of amphetamines is now limited to a very narrow range of medical conditions. In action, methamphetamines are nearly identical to amphetamines. It is abused for the physical sense of energy at lower doses and the mental exhilaration of higher doses. Even small, infrequent doses can produce toxic effects in some people.

### Signs and Symptoms of Use:

- Hyper-excitability, restlessness, anxiety
- Dilated pupils
- Profuse sweating
- Rapid respiration
- Difficulty in focusing eyes
- Exaggerated reflexes, body tremors.

### Other Effects:

- Impaired driving ability
- Loss of appetite
- Headaches/dizziness
- Confusion
- Panic
- Talkativeness
- Inability to concentrate
- Short-term insomnia
- Paranoid thoughts
- Hallucinations.

### Health Effects:

- Heartbeat disturbances or heart damage caused by severe constriction of capillary blood vessels
- Increased blood pressure
- Convulsions
- Coma
- Brain damage resulting in speech disturbances
- High doses may cause toxic psychosis resembling schizophrenia
- Long-term users often have acne resembling measles, trouble with their teeth, gums and nails, and dry, dull hair.

### How Amphetamines And Methamphetamines Impair Functions

#### Needed For Driving:

They chemically alter the brain and gross motor functioning of the body, having a direct impact on the complex system of critical thinking skills and reflexes that allow people to drive safely and conscientiously.

#### Fact:

- ✓ People with a history of sustained low-dose use quite often become dependent and believe they need to take the drug to "get by." These users frequently keep taking amphetamines to avoid the "down" mood they experience when the "high" wears off.

#### **OPIATES**

*Narcotics, including heroin, morphine, codeine and many synthetic drugs used to alleviate pain, depress body functions and reactions.*

*In large doses, opiates cause a strong euphoric feeling.*

*Common street names are: horse, morpho, China, M, brown sugar, Harry and dope.*

Sometimes narcotics found in medicines are abused. This includes pain relievers containing opium and cough syrups containing codeine. Heroin is illegal and cannot even be obtained with a physician's prescription. Most medical problems associated with the use of opiates are caused by uncertain dosages, use of unsterile needles, contamination of the drug, or from combining a narcotic with other drugs.

#### Signs and Symptoms of Use:

- Mood changes
- Impaired mental function and alertness
- Impaired vision

- Constricted pupils
- Impaired coordination.

Other Effects:

- Impaired driving ability
- Drowsiness followed by sleep
- Decreased physical activity
- Sleeplessness and drug craving
- Depression and apathy
- Constipation
- Nausea and vomiting.

Health Effects:

- IV needle users have a high risk for contracting hepatitis and HIV due to the sharing of needles.
- Narcotics increase pain tolerance. As a result, people could more severely injure themselves and fail to seek medical attention due to a lack of pain sensitivity.
- The effects of narcotics are multiplied when used in combination with alcohol and other depressant drugs, causing an increased risk for overdose.

How Opiates Impair Functions Needed For Driving:

Opiates chemically alter the brain and gross motor functioning of the body, having a direct impact on the complex system of critical thinking skills and reflexes that allow people to drive safely and conscientiously.

Fact:

✓ Heroin, also called "junk" or "smack," accounts for 90% of the narcotic abuse in the United States.

**PHENYCLIDINE (PCP)**

*PCP acts as both a depressant and a hallucinogen, and sometimes as a stimulant.*

*Also called angel dust, rocket fuel, embalming fluid and killer weed.*

PCP was developed as a surgical anesthetic in the late 1950s. Later, due to its unusual side effects in humans, it was restricted to use as a veterinary anesthetic and tranquilizer. Today it has no lawful use and is no longer legally manufactured. It is abused largely for its variety of mood-altering effects.

PCP scrambles the brain's internal stimuli and alters how users see and deal with their environment. Routine activities like driving and walking become very difficult.

A low dose produces sedation and euphoric mood changes. The mood can change rapidly from sedation to excitation and agitation. Increased doses produce an excited, confused state including any of the following: muscle rigidity, loss of concentration and memory, visual disturbances, delirium, feelings of isolation, and convulsions.

Signs and Symptoms of Use:

- Impaired driving ability
- Impaired coordination
- Thick, slurred speech
- Severe confusion and agitation
- Muscle rigidity
- Profuse sweating.

Other Effects:

- Loss of concentration and memory
- Extreme mood shift
- Nystagmus (jerky, involuntary eye movements)
- Rapid heartbeat

- Dizziness
- Convulsions
- Memory loss.

Health Effects:

- The potential for accidents and overdose emergencies is high due to the extreme mental effects combined with the anesthetic effect on the body.
- PCP becomes more potent in combination with other depressant drugs, including alcohol, increasing the likelihood of an overdose reaction.

How PCP Impairs Functions Needed For Driving:

PCP chemically alters the brain and gross motor functioning of the body, having a direct impact on the complex system of critical thinking skills and reflexes that allow people to drive safely and conscientiously. PCP also causes severe disorientation.

Facts:

- ✓ PCP abuse is less common today than in the past.
- ✓ There are four phases to PCP use: toxicity (which may be accompanied by convulsions, combativeness, catatonia and even coma), toxic psychosis (including visual delusions and paranoia), schizophrenia and depression.

**OVER-THE-COUNTER & PRESCRIPTION MEDICATIONS**

Over-the-counter medications, and even prescription medications, may interfere with your ability to drive safely and within the requirements of the Alcohol and Drug Regulations. Make sure you know about the possible side effects of these drugs before you take them, especially before driving. Consult your physician if you have any questions about a prescription and read the ingredient label and directions for use on every over-the-counter drug you use.

## A Final Word about Drugs and Alcohol

It's important that you find ways to relieve stress and handle the pressures of your job without resorting to mind-altering substances, especially if those substances remain in your body and affect your performance on the job. Alcohol in moderation, and over-the-counter and prescription medications taken as directed, are not harmful unless they interfere with your ability to drive safely. Let your physician know about your occupation and your schedule so he/she can select the most appropriate medication.

Repeated alcohol and drug use may lead to an addiction that cannot be overcome alone. Alcohol and drugs will have a devastating effect on your health, your relationships and your job if you let occasional and legal use cross the line into dependency and the use of illegal substances.

If you are concerned about your drinking or drug tendencies or someone else's abusing behavior, know who to contact in your company for help.

Name and telephone number of the person in charge of your company's Drug and Alcohol program:

Name	( )
Phone number	

## ORDER FORM

To order additional copies of this handbook, use the form below.

500+ handbooks ..... \$1.20 ea. 100-199 handbooks ..... \$1.55 ea. 10-49 handbooks ..... \$2.75 ea.  
 200-499 handbooks ..... \$1.55 ea. 50-99 handbooks ..... \$2.25 ea.

**YES!** Please send me \_\_\_\_\_ copies of the **Drug & Alcohol Testing: Training and Awareness Driver Handbook (HB-332-H)** for only

\$ \_\_\_\_\_ each. That's a total of \$ \_\_\_\_\_.

Name \_\_\_\_\_ Title \_\_\_\_\_

Company \_\_\_\_\_

Street Address \_\_\_\_\_

P.O. Box \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_





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Charge Card Acct. No. \_\_\_\_\_ Expiration Date \_\_\_\_\_

Authorized Signature \_\_\_\_\_

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ACTHB96396

# PREVIOUS PRE-EMPLOYMENT EMPLOYEE ALCOHOL AND DRUG TEST STATEMENT

Sec. 40.25(j) As the employer, you must also ask the employee whether he or she has tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the employee applied for, but did not obtain, safety-sensitive transportation work covered by DOT agency drug and alcohol testing rules during the past two years. If the employee admits that he or she had a positive test or a refusal to test, you must not use the employee to perform safety-sensitive functions for you, until and unless the employee documents successful completion of the return-to-duty process. (see Sec. 40.25(b)(5) and (e))

Prospective Employee Name: \_\_\_\_\_ ID Number: \_\_\_\_\_  
(print)

The prospective employee is required by Sec. 40.25(j) to respond to the following questions.

- 1) Have you tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which you applied for, but did not obtain, safety-sensitive transportation work covered by DOT agency drug and alcohol testing rules during the past two years?

Check one:  Yes  No

- 2) If you answered yes, can you provide/obtain proof that you've successfully completed the DOT return-to-duty requirements?

Check one:  Yes  No

I certify that the information provided on this document is true and correct.

Prospective Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witnessed By: \_\_\_\_\_ Date: \_\_\_\_\_  
(signature)



# PREVIOUS EMPLOYEE SAFETY PERFORMANCE HISTORY

Pursuant to a request for Previous Employee Safety Performance History, Dated \_\_\_\_\_, this response is being provided to the Prospective Employer noted below in compliance with the Department of Transportation regulations, §391.23(g)(1) and §40.321(b).

Corrected Copy, Replaces Response Dated: \_\_\_\_\_

## TO BE COMPLETED BY THE PREVIOUS EMPLOYER DRIVER IDENTIFICATION

Name of Previous Employee: \_\_\_\_\_  DOT Regulated Driver  
Social Security No.: \_\_\_\_\_ Date of Birth: \_\_\_\_/\_\_\_\_/\_\_\_\_  Non-DOT Regulated Driver  
Employed from \_\_\_\_\_ to \_\_\_\_\_ as \_\_\_\_\_

## PREVIOUS EMPLOYER INFORMATION

Company Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_  
Contact Name: \_\_\_\_\_ Email: \_\_\_\_\_  
Street: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_

## PROSPECTIVE EMPLOYER INFORMATION

Company Name: **Power Plus** THIS FORM WAS (check appropriate box)  
Attention: **Liz Kitchens**  Mailed, Date: \_\_\_\_\_  
Street: **1210 N. Red Gum St.**  Faxed, Date: \_\_\_\_\_  
City, State, Zip: **Anaheim, CA 92806**  Emailed, Date: \_\_\_\_\_  
Phone Number: **714-507-1881** Email: **lkitchens@powerplus.com**  Relayed by Phone, Date: \_\_\_\_\_  
Name of Person Contacted: \_\_\_\_\_

## SAFETY PERFORMANCE HISTORY

There is no safety performance history to report.  
Driver operated a:  Straight Truck  Tractor-Semitrailer  Bus  Cargo Tank  Doubles/Triples  Other (Specify) \_\_\_\_\_  
 Driver did not operate a motor vehicle.  
Reason for leaving employ:  Discharged  Resignation  Lay Off  Military Duty

## ACCIDENTS:

Date	Location	No. of Injuries	No. of Fatalities	Hazmat Material Spill
1. _____	_____	_____	_____	_____
2. _____	_____	_____	_____	_____
3. _____	_____	_____	_____	_____

No accident register data for this driver.  
 Enclosed is other accident information pursuant to the employer's internal policies for retaining minor accident information (§391.23(d)(2)(ii)).

## DRUG/ALCOHOL TESTING:

Prospective employer did not provide signed release from driver (§40.321(b)). Therefore, drug/alcohol information cannot be provided.

Under DOT drug and alcohol testing requirements for the past 3 years:

	Yes	No
1. This person was employed in a safety-sensitive function that required alcohol and controlled substances testing specified by 49 CFR Part 40 (if NO, skip this section).	<input type="checkbox"/>	<input type="checkbox"/>
2. This person had an alcohol test with a result of 0.04 or higher alcohol concentration.	<input type="checkbox"/>	<input type="checkbox"/>
3. This person tested positive or adulterated or substituted a test specimen for controlled substances.	<input type="checkbox"/>	<input type="checkbox"/>
4. This person refused to submit to a post-accident, random, reasonable suspicion, or follow-up alcohol or controlled substance test.	<input type="checkbox"/>	<input type="checkbox"/>
5. This person committed other violations of Subpart B of Part 382, or Part 40.	<input type="checkbox"/>	<input type="checkbox"/>
6. This person violated a DOT drug and alcohol regulation and completed a SAP-prescribed rehabilitation program in our employ, including return-to-duty and follow-up tests. If yes, documentation is enclosed.	<input type="checkbox"/>	<input type="checkbox"/>
7. This person, after successfully completing a SAP's rehabilitation referral, remained in our employ but subsequently had an alcohol test result of 0.04 or greater, a verified positive drug test, or refused to be tested.	<input type="checkbox"/>	<input type="checkbox"/>

In providing this information, any drug or alcohol testing information obtained from previous employers under §40.25 or other applicable DOT regulations is included.

Any other remarks: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

**FOR PREVIOUS EMPLOYER'S RECORD — KEEP A RECORD OF EACH REQUEST AND THE RESPONSE  
FOR ONE YEAR, INCLUDING THE DATE, THE PARTY TO WHOM IT WAS RELEASED, AND A SUMMARY IDENTIFYING WHAT WAS PROVIDED.**



REQUEST FOR INFORMATION—From Previous Employer

I hereby authorize you to release the following information to for the purposes of investigation as required by Section 391.23 of the Federal Motor Carrier Safety Regulations

Power Plus! (Prospective Employer)

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

NAME AND ADDRESS OF PREVIOUS EMPLOYER: THIS FROM WAS (check appropriate box) Mailed, Date: Faxed, Date: Emailed, Date: Received by Phone, Date: Name of Person Contacted:

Name of Applicant: Social Security #: Date of Birth:

Dear Sir/Madam: The above named individual has made application to this company for a position as and states that he/she was employed by you as from (m/y) to (m/y).

In accordance with Section 391.23, we are obligated to request the information below from all previous employers of the applicant that employed him/her to operate a commercial motor vehicle within the 3 years preceding (date of application). Please complete the information below and return to us within 30 days, as required by Section 391.23 (g). You may return the information by telephone, fax, mail, or email.

Prospective Employer: S.R. BRAY LLC dba Power Plus! Attn: Liz Kitchens Street: 1210 N. Red Gum St. City, State, Zip: Anaheim, CA 92806 Telephone: (714) 507-1881 Fax: (714) 765-7559 Email: lkitchens@powerplus.com

TO BE COMPLETED BY PREVIOUS EMPLOYER

SECTION 1: DRIVER IDENTIFICATION

The applicant named above was employed by us. Yes No Employed as from (m/y) to (m/y) If driver was involved in a safety-sensitive position subject to drug and alcohol testing under Part 40, check here

SECTION 2: SAFETY PERFORMANCE HISTORY

1. Did he/she drive motor vehicle for you? Yes No If yes, what type? Straight Truck Tractor-Semitrailer Bus Cargo Tank Doubles/Triples Other (Specify) 2. Reason for leaving your employ: Discharged Resignation Lay Off Military Duty

If there is no safety performance history to report, check here, sign below and return. ACCIDENTS: Complete the following for any accidents included on your accident register (Section 390.15 (b)) that involved the applicant in the 3 years prior to the application date shown above, or check here if there is no accident register data for this driver.

- 1. 2. 3.

Please provide information concerning any other accidents involving the applicant:

Any other remarks:

Signature: Title: Date:



## Fair Credit Reporting Act Disclosure Statement

In accordance with the provisions of Section 604(b)(2)(A) of the Fair Credit Reporting Act, Public Law 91-508, as amended by the Consumer Credit Reporting Act of 1996 (Title II, Subtitle D, Chapter I, of Public Law 104-208), you are being informed that reports verifying your previous employment, previous drug and alcohol test results, and your driving record may be obtained on you for employment purposes. **These reports are required by Sections 382.413, 391.23, and 391.25 of the Federal Motor Carrier Safety Regulations.**

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Social Security Number



A Public Service Agency

**EMPLOYER PULL NOTICE PROGRAM**

**AUTHORIZATION FOR  
RELEASE OF DRIVER RECORD INFORMATION**

I, \_\_\_\_\_, California Driver License Number, \_\_\_\_\_,  
hereby authorize the California Department of Motor Vehicles (DMV) to disclose or otherwise make available, my driving  
record, to my employer, \_\_\_\_\_

COMPANY NAME

I understand that my employer may enroll me in the Employer Pull Notice (EPN) program to receive a driver record report at  
least once every twelve (12) months or when any subsequent conviction, failure to appear, accident, driver's license suspension,  
revocation, or any other action is taken against my driving privilege during my employment.

I am not driving in a capacity that requires mandatory enrollment in the EPN program pursuant to California Vehicle Code  
(CVC) Section 1808.1(k). I understand that enrollment in the EPN program is in an effort to promote driver safety, and that my  
driver license report will be released to my employer to determine my eligibility as a licensed driver for my employment.

EXECUTED AT: CITY \_\_\_\_\_ COUNTY \_\_\_\_\_ STATE \_\_\_\_\_

DATE _____	SIGNATURE OF EMPLOYEE <b>X</b>
------------	-----------------------------------

I, \_\_\_\_\_, of \_\_\_\_\_,  
AUTHORIZED REPRESENTATIVE \_\_\_\_\_ COMPANY NAME \_\_\_\_\_

do hereby certify under penalty of perjury under the laws in the State of California, that I am an authorized representative of  
this company, that the information entered on this document is true and correct, to the best of my knowledge and that I am  
requesting driver record information on the above individual to verify the information as provided by said individual. This  
record is to be used by this employer in the normal course of business and as a legitimate business need to verify information  
relating to a driving position not mandated pursuant to CVC Section 1808.1. The information received will not be used for any  
unlawful purpose. I understand that if I have provided false information, I may be subject to prosecution for perjury (Penal  
Code Section 118) and false representation (CVC Section 1808.45). These are punishable by a fine not exceeding five  
thousand dollars (\$5,000) or by imprisonment in the county jail not exceeding one year, or both fine and imprisonment. I  
understand and acknowledge that any failure to maintain confidentiality is both civilly and criminally punishable pursuant to  
CVC Sections 1808.45 and 1808.46.

EXECUTED AT: CITY \_\_\_\_\_ COUNTY \_\_\_\_\_ STATE \_\_\_\_\_

DATE _____	SIGNATURE AND TITLE OF AUTHORIZED REPRESENTATIVE <b>X</b>
------------	--

To obtain a driver record on a prospective employee you may submit an INF 1119 form. To add this driver to the EPN Program  
you must submit the applicable forms: INF 1100, INF 1102, INF 1103, INF 1103A form. You may obtain forms at our website  
at [www.dmv.ca.gov/otherservices](http://www.dmv.ca.gov/otherservices), or by calling 916-657-6346.

**THIS FORM MUST BE COMPLETED AND RETAINED AT THE EMPLOYER'S PRINCIPAL PLACE OF BUSINESS AND  
MADE AVAILABLE UPON REQUEST TO DMV STAFF.**

**DO NOT RETURN THIS FORM TO DMV.**

## Motor Vehicle Driver's

# CERTIFICATION OF COMPLIANCE WITH DRIVER LICENSE REQUIREMENTS

**MOTOR CARRIER INSTRUCTIONS:** The requirements in Part 383 apply to every driver who operates in intrastate, interstate, or foreign commerce and operates a vehicle weighing 26,000 pounds or more, can transport more than 15 people, or transports hazardous materials that require placarding.

The requirements in part 391 apply to every driver who operates in interstate commerce and operates a vehicle weighing 10,001 pounds or more, can transport more than 15 people, or transports hazardous materials that require placarding.

**DRIVER REQUIREMENTS:** Parts 383 and 391 of the Federal Motor Carrier Safety Regulations contain some requirements that you as a driver must comply with. They are as follows:

- 1.) **POSSESS ONLY ONE LICENSE:** You, as a commercial vehicle driver, may not possess more than one motor vehicle operator's license.
  
- 2.) **NOTIFICATION OF LICENSE SUSPENSION, REVOCATION OR CANCELLATION:** Sections 391.15(b) and 383.33 of the Federal Motor Carrier Safety Regulations require that you notify your employer the NEXT BUSINESS DAY of any revocation or suspension of your driver's license. In addition, Section 383.31 requires that any time you violate a state or local traffic law (other than parking), you must report it within 30 days to: 1.) your employing motor carrier, and 2.) the state that issued your license (if the violation occurs in a state other than the one which issued your license). The notification to both the employer and state must be in writing.

The following license is the only one I possess:

Driver's License No. \_\_\_\_\_ State \_\_\_\_\_ Exp. Date \_\_\_\_\_

**DRIVER CERTIFICATION:** I certify that I have read and understood the above requirements.

Driver's Name (Printed): \_\_\_\_\_

Driver's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Notes: \_\_\_\_\_

# DRIVER STATEMENT OF ON-DUTY HOURS

## (For Newly Hired Drivers)

INSTRUCTIONS: Motor carriers when using a driver for the first time shall obtain from the driver a signed statement giving the total time on-duty during the immediately preceding 7 days and time at which such driver was last relieved from duty prior to beginning work for such carrier. Rule 395.8(j)(2) Federal Motor Carrier Safety Regulations. NOTE: Hours for any compensated work during the preceding 7 days, including work for a non-motor carrier entity, must be recorded on this form.

Driver Name (Print) \_\_\_\_\_

Social Security Number \_\_\_\_\_

Driver's License: State \_\_\_\_\_ Number \_\_\_\_\_ Class \_\_\_\_\_

Endorsements \_\_\_\_\_ Restrictions \_\_\_\_\_

Type of License \_\_\_\_\_ Issuing State \_\_\_\_\_

DAY	1 (yesterday)	2	3	4	5	6	7	TOTAL HOURS	
DATE									
HOURS WORKED									

I hereby certify that the information given above is correct to the best of my knowledge and belief, and that I was last relieved from work at

A.M.
P.M.
 On \_\_\_\_\_ Day \_\_\_\_\_ Month \_\_\_\_\_ Year \_\_\_\_\_  
 Time

\_\_\_\_\_  
Driver's Signature

\_\_\_\_\_  
Date

### DRIVER CERTIFICATION FOR OTHER COMPENSATED WORK

INSTRUCTIONS: When employed by a motor carrier, a driver must report to the carrier all on-duty time including time working for other employers. The definition of on-duty time found in Section 395.2 paragraphs (8) and (9) of the Federal Motor Carrier Safety Regulations includes time performing work in the capacity of, or in the employ or service of, a common, contract or private motor carrier, also performing any compensated work for any nonmotor carrier entity.

**Are you currently working for another employer?** (Circle One)  
 YES NO

**At this time do you intend to work for another employer while still employed by this company?** YES NO

I hereby certify that the information given above is true and I understand that once I become employed with this company, if I begin working for any additional employer(s) for compensation that I must inform this company immediately of such employment activity.

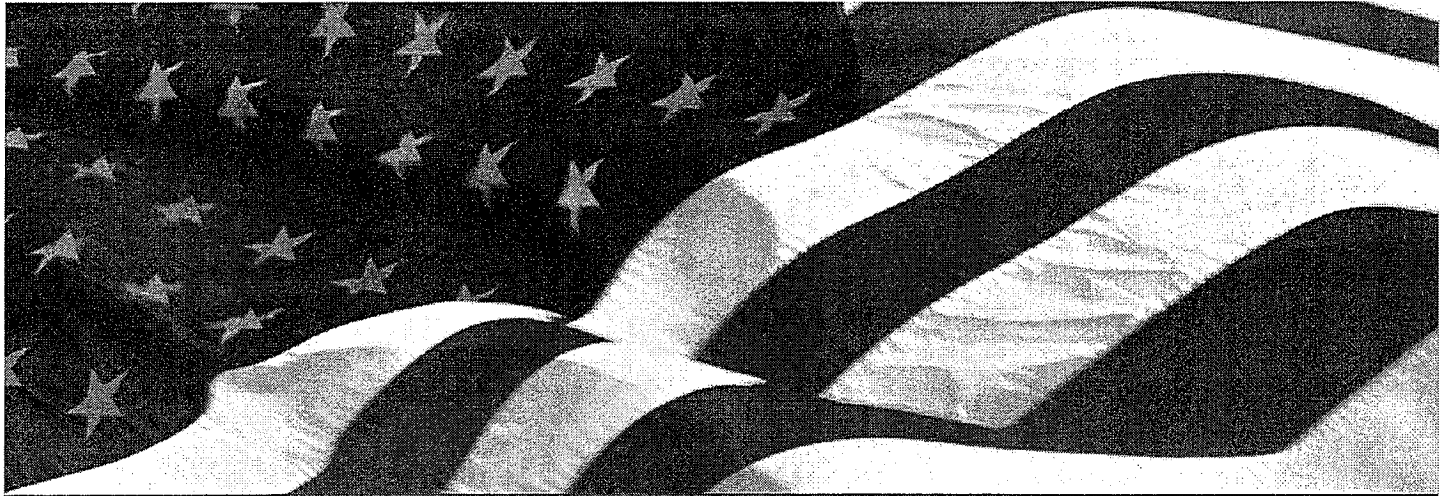
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Driver's Signature

\_\_\_\_\_  
Date

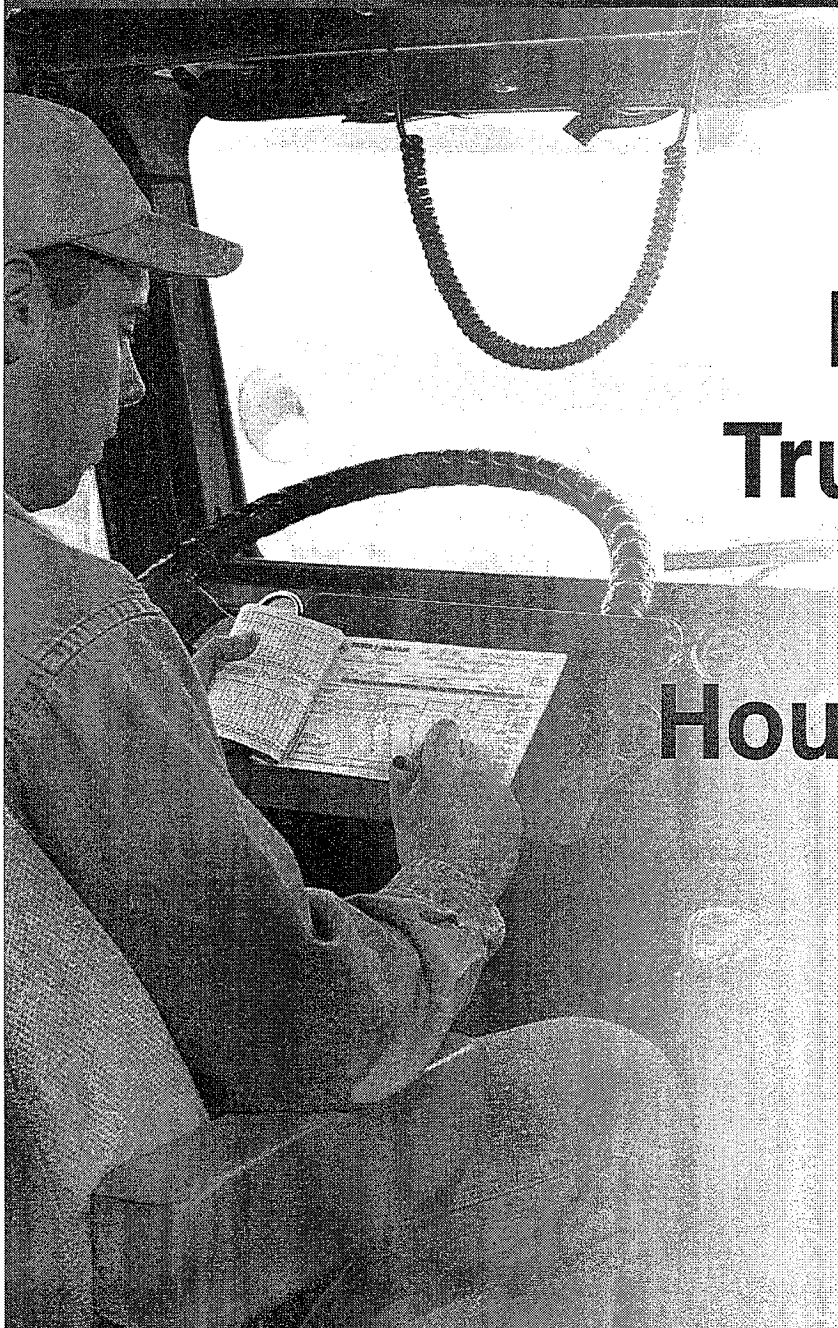
Witness: \_\_\_\_\_  
Company Representative

\_\_\_\_\_  
Date

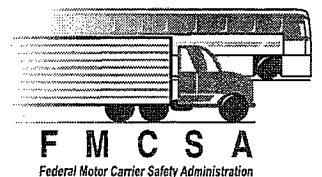


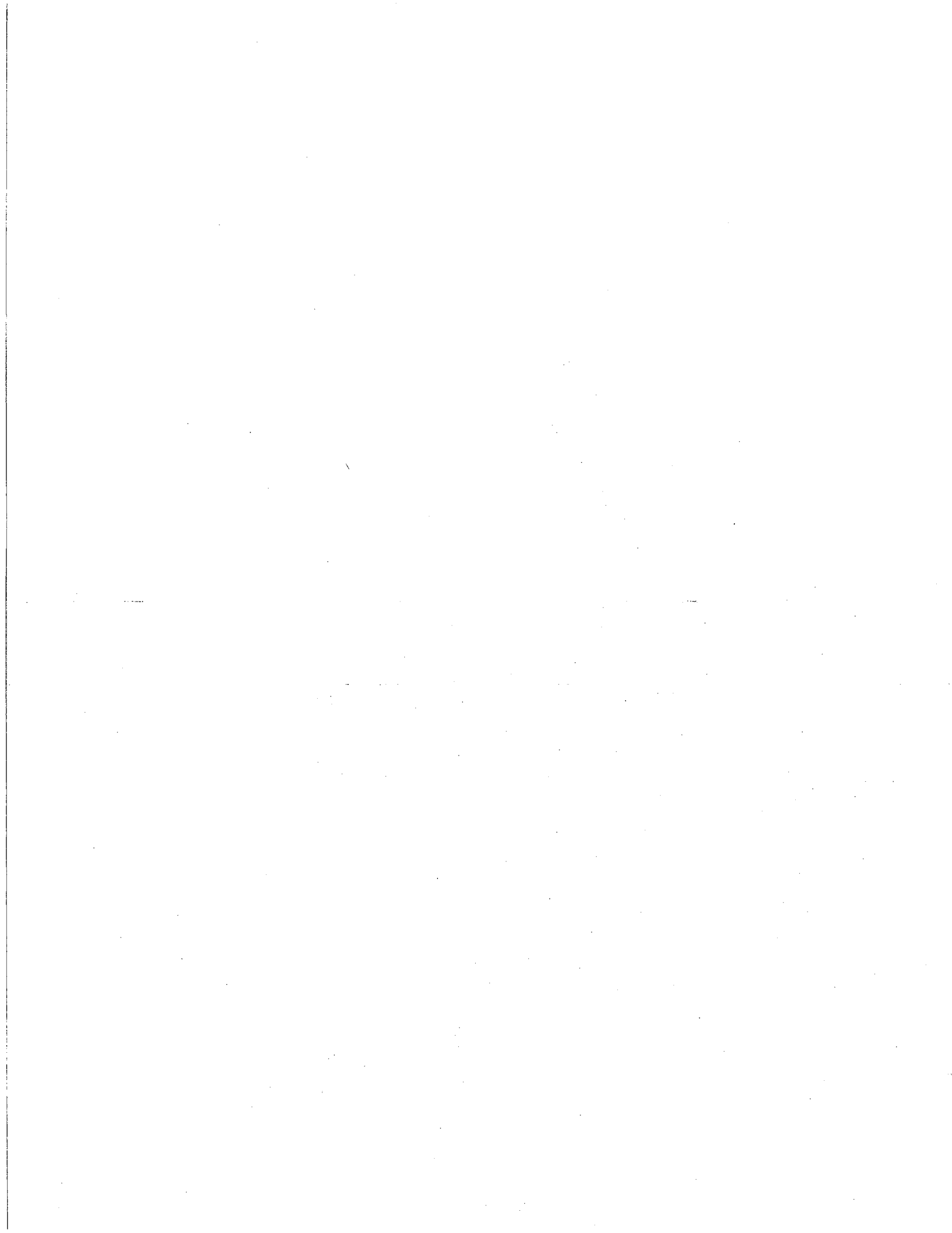


Federal Motor Carrier Safety Administration



# Interstate Truck Driver's Guide to Hours of Service



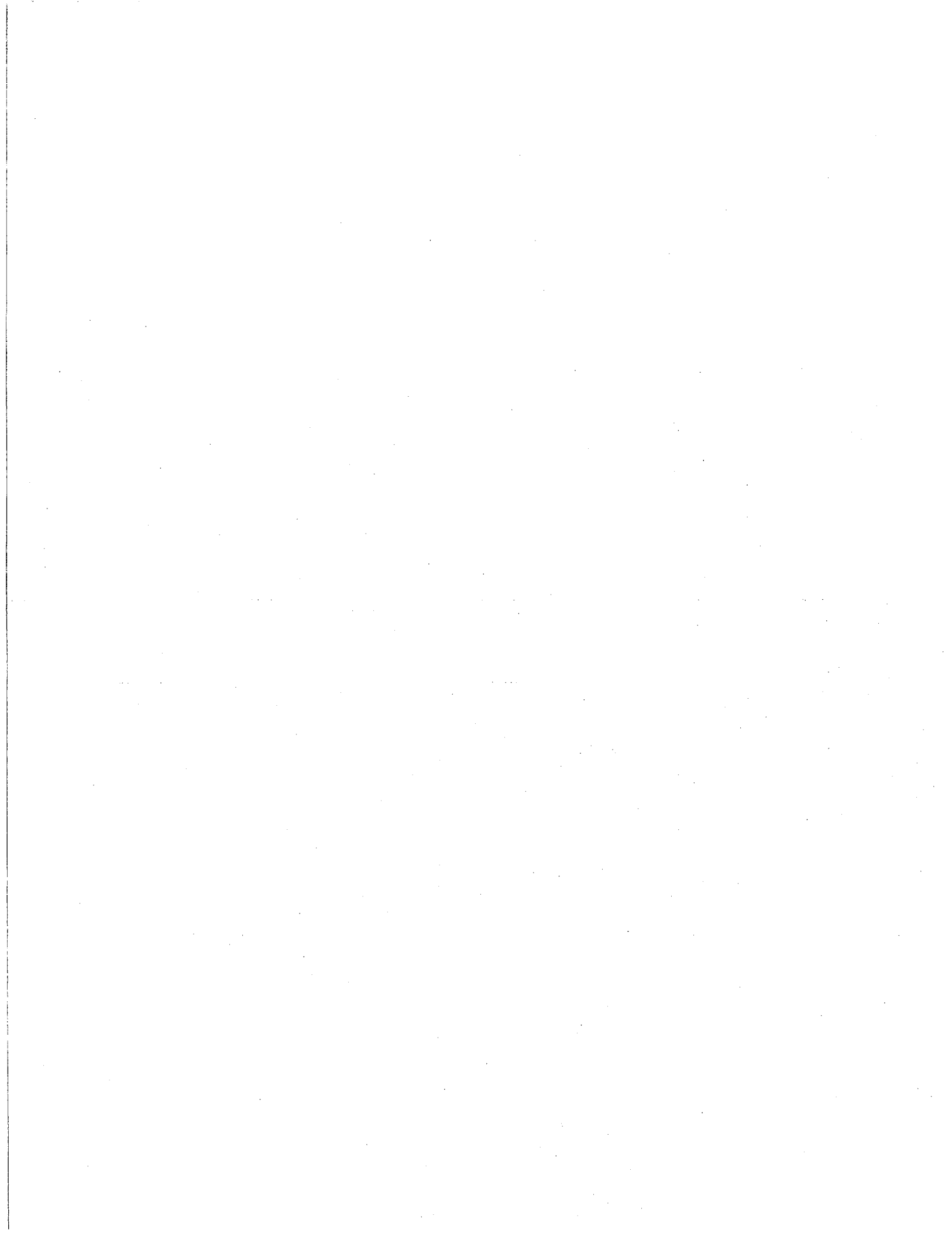


# Interstate Truck Driver's Guide to Hours of Service

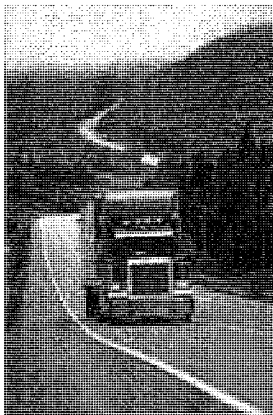
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## What Are the Hours-of-Service Regulations?



As the driver of a large, heavy truck, you have a lot of responsibility as you drive down the road. The biggest concern is safety. That brings us to the main reason for the hours-of-service regulations — to keep fatigued drivers off the public roadways. These regulations put limits in place for when and how long you may drive, with the idea that these limits will help make sure that you stay awake and alert while driving.

The hours-of-service regulations are found in Part 395 of the Federal Motor Carrier Safety Regulations. These regulations are developed and enforced by the Federal Motor Carrier Safety Administration, which is part of the United States Department of Transportation. (States may have identical or similar regulations, as we will explain later.)

## Who Must Comply With the Hours-of-Service Regulations?

You must follow the hours-of-service regulations if you drive a commercial motor vehicle. Just what is a commercial motor vehicle?

In general it is a truck, or truck-tractor with a trailer, that:

- Is involved in interstate commerce and weighs (including any load) 10,001 pounds (4,536 kg) or more.
- Is involved in interstate commerce and has a gross vehicle weight rating or gross combination weight rating of 10,001 pounds (4,536 kg) or more.
- Is involved in interstate or intrastate commerce and is transporting hazardous materials in a quantity requiring placards.

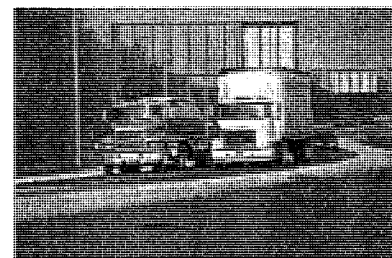
We will describe these terms in greater detail in the next sections of this document.

**\*\*NOTE\*\*** There are exceptions to certain hours-of-service requirements for some operations. These will be covered later in this section.

**\*\*NOTE\*\*** Be aware that we are only talking here about the hours-of-service regulations. For other areas of regulation, the definition of commercial motor vehicle will vary, for example drug and alcohol regulations and commercial driver's license (CDL) requirements.

### Interstate/Intrastate Commerce

To help you understand the definition of a commercial motor vehicle, let's talk about the meanings of interstate commerce and intrastate commerce. Commerce deals with buying and selling goods and services. It also deals with moving those goods from place to place or going somewhere to perform the service. Basically any work done in support of a business is considered to be commerce.



**Interstate commerce** means the goods have traveled into or through another State or country or someone has gone into another State or country to perform the service. Even if your truck does not leave your State, but the goods have or will, the transportation is usually considered to be in interstate commerce. Interstate commerce means the goods have left their home State or the person performing a service has left his or her home State.

If you operate in interstate commerce once in a while, you are not required to comply with the Federal hours-of-service regulations all of the time. You must follow the Federal hours-of-service regulations while you are operating in interstate commerce. At the point you start driving in interstate commerce you must have logs with you for your last 7 days (unless you were not required to log).

You must also follow the Federal hours-of-service regulations for a short period of time after you finish operating in interstate commerce. If you were using the 60-hour/7-day schedule, you must follow the Federal hours-of-service regulations for the next 7 days after you finish operating in interstate commerce. If you were using the 70-hour/8-day schedule, you must follow the Federal hours-of-service regulations for the next 8 days after you finish operating in interstate commerce.

**Intrastate commerce** means the goods and services stay within a single State. The goods and services do not leave their State.

If you are operating in intrastate commerce only and are not hauling hazardous materials requiring a placard, the Federal regulations do not apply to you. However, most States have regulations that are similar or identical to the Federal Regulations. To determine what State safety requirements you must follow, you should contact the appropriate state agency. This is usually the State police, highway patrol, or an office within the State's department of transportation.

Sometimes your truck may be empty. In these cases your truck is still considered to be in commerce because it is being used to support a business. Even if it is empty, you are considered to be operating in interstate commerce, if you go outside of your State. If the truck is empty and you are operating inside your State, you are operating in intrastate commerce.

### Personal Use of a Commercial Motor Vehicle

It is possible that occasionally you may not use a truck in commerce at all. You may be moving your personal belongings to a new house or, as a hobby you may be taking your horses to a horse show. As long as the activity is not in support of a business, you are not operating in commerce.

If you are not operating your truck in commerce, you are not subject to the hours-of-service regulations.

### Weight Ratings

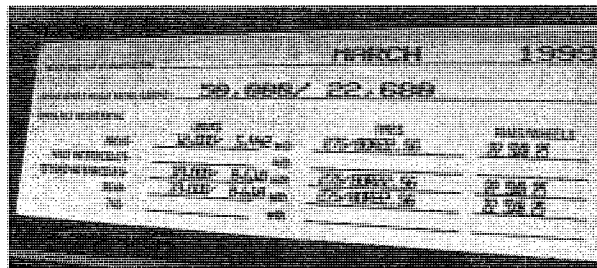
A vehicle can be a commercial motor vehicle based on what it actually weighs or on what its weight rating is, whichever is greater.

To find the **gross vehicle weight rating** of a truck or tractor, open the driver's door and look for a plate on the door frame. In some models, the plate might be inside the glove box. To find the gross weight rating of a towed unit, look for a plate on the front of the trailer. If the trailer has a tongue, the plate might be on the tongue of the trailer.

Your truck may have a **gross combination weight rating** posted in the same manner as the gross vehicle weight rating. If it does not, to figure the gross combination weight rating add the gross vehicle weight rating of the truck or tractor and the actual weight of the trailer and its load.

### Air Miles and Statute Miles

In the short-haul exceptions to the hours-of-service regulations, you will see the term "air miles." This is a different measurement of a mile than what is used for statute miles on a roadmap.



An air mile is longer than a statute mile. There are 6,076 feet in an air mile and 5,280 feet in a statute mile. One-hundred air miles is equal to 115.08 statute miles.

Therefore, a 100 air-mile radius from your work reporting location can be figured as 115.08 statute, or "roadmap," miles (185.2 km) from your work reporting location. A 150 air-mile radius from your work reporting location can be figured as 172.6 statute miles (277.8 km).

## ***What Are the Hours-of-Service Limits?***

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The hours-of-service regulations focus on when and how long you are allowed to drive by placing specific limits on the amount of time you drive your truck and how many total hours you can work before you are no longer permitted to drive a commercial motor vehicle. You must follow three maximum duty limits at all times. They are the 14-hour duty limit, 11-hour driving limit, and 60/70-hour duty limit.

### **14-Hour Duty Limit**

This limit is usually thought of as a "daily" limit even though it is not based on a 24-hour period. You are allowed a period of 14 consecutive hours of duty time after being off duty for 10 or more consecutive hours. The 14-consecutive-hour duty period begins when you start any kind of work. Once you have reached the end of this 14-consecutive-hour period, you cannot drive again until you have been off duty for another 10 consecutive hours.

Your driving is limited to the 14-consecutive-hour duty period even if you take some off-duty time, such as a lunch break or a nap, during those 14 hours.

**\*\*NOTE\*\*** If you have a sleeper berth in your vehicle, you may be able to use it to get the required rest and to extend the 14-hour limit. Sleeper berth provisions will be discussed later in this section.

**Example:** You have had 10 continuous hours off and you come to work at 6:00 a.m. in the morning. You must not drive your truck after 8:00 p.m. that evening. You may do other work after 8:00 p.m., but you cannot do any more driving until you have taken another 10 consecutive hours off.

This regulation is found in Section 395.3(a)(2).

### **11-Hour Driving Limit**

During the 14-consecutive-hour duty period explained above, you are only allowed to drive your truck for up to 11 total hours. There is no limit on how many of those hours you are allowed to drive at one time — you may drive for as little as a few minutes or as much as 11 hours in a row. Once you have driven a total of 11 hours, you have reached the driving limit and must be off duty for another 10 consecutive hours before driving your truck again.



**Example:** You have had 10 consecutive hours off. You come to work at 6:00 a.m. in the morning and drive from 7:00 a.m. until 6:00 p.m.. You must not drive again until you have at least 10 consecutive hours off. You may do other work after 6:00 p.m., but you cannot do any more driving of a commercial motor vehicle.

This regulation is found in Section 395.3(a)(1).

### 60/70-Hour Duty Limit

In addition to the first two limits, which are explained above, is the 60/70-hour limit. This limit is based on a 7-day or 8-day period, starting at the time specified by your motor carrier for the start of a 24-hour period.

This limit is sometimes thought of as a "weekly" limit. However, this limit is not based on a "set" week, such as Sunday through Saturday. The limit is based on a "rolling" or "floating" 7-day or 8-day period. The oldest day's hours drop off at the end of each day when you calculate the total on-duty time for the past 7 or 8 days. For example, if you operate on a 70-hour/8-day schedule, the current day would be the newest day of your 8-day period and the hours you worked nine days ago would drop out of the calculation.

DAY	HOURS
1. Sunday	0
2. Monday	10
3. Tuesday	8.5
4. Wednesday	12.5
5. Thursday	9
6. Friday	10
7. Saturday	12
8. Sunday	5
<b>TOTAL</b>	<b>67 hours</b>

You are required to follow one of these two "weekly" limits:

- If your company does not operate vehicles every day of the week, you are not allowed to drive after you've been on duty **60 hours** during any 7 consecutive days. Once you reach the 60-hour limit, you will not be able to drive again until you have dropped below 60 hours for a 7-consecutive-day period. You may do other work, but you cannot do any more driving until you are off duty enough days to get below the limit. Any other hours you work, whether they are for a motor carrier or someone else, must be added to the total.
- If your company does operate vehicles every day of the week, your employer may assign you to the 70-hour/8-day schedule. This means that you are not allowed to drive after you've been on duty **70 hours** in any 8 consecutive days. Once you reach the 70-hour limit, you will not be able to drive again until you have dropped below 70 hours for an 8-consecutive-day period. You may do other work, but you cannot do any more driving until you get below the limit. Any other hours you work, whether they are for a motor carrier or someone else, must be added to the total.

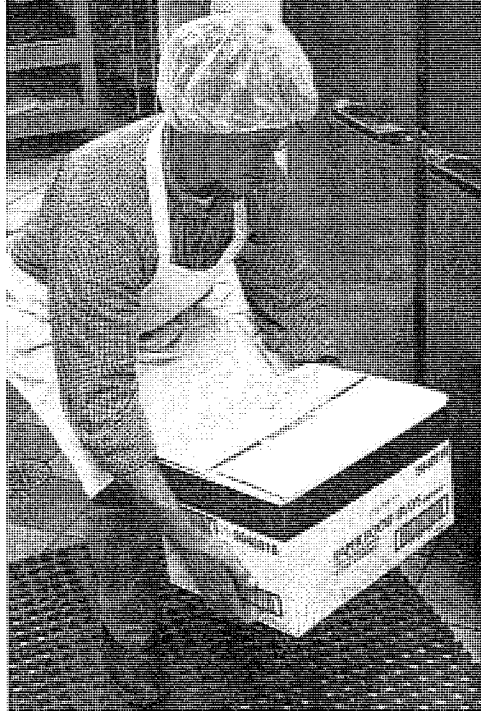
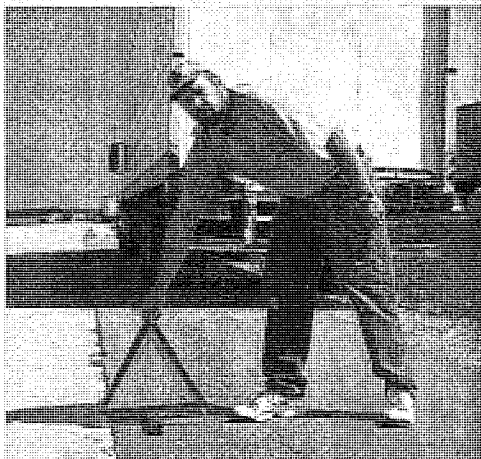
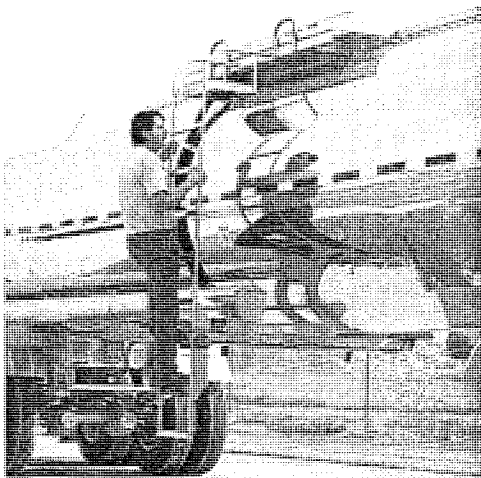
### 34-Hour Restart

The regulations allow you to "restart" your 60 or 70-hour clock calculations after having at least 34 consecutive hours off duty. In other words, after you have taken at least 34 hours off duty in a row, you have the full 60 or 70 hours available again. You would then begin counting hours on the day of the restart and not go back the full 7 or 8 days.

**Example:** If you follow the 70-hour/8-day limit and work 14 hours for 5 days in a row, you will have been on duty for 70 hours. You would not be able drive again until you drop below 70 hours worked in an 8-day period. However, if your company allows you to use the 34-hour restart provision, you would have driving time available immediately after 34 consecutive hours off duty. You would then begin a new period of 8 consecutive days and have 70 hours available.

This regulation is found in Section 395.3(b) and (c).

## What Is On-Duty Time?



The 60/70-hour limit is based on how many hours you work over a period of days. Just what kind of work is included in on-duty time? It includes all time you are working or are required to be ready to work, for any employer. It includes the following activities:

- All time at a plant, terminal, or other facility of a motor carrier or shipper, unless you have been relieved from duty by the motor carrier;
- All time inspecting or servicing your truck, including fueling it and washing it;
- All driving time;
- All other time in a truck unless you are resting in a sleeper berth;
- All time loading, unloading, supervising, or attending your truck; or handling paperwork for shipments;
- All time taking care of your truck when it is broken down;
- All time spent providing a breath, saliva, or urine sample for drug/alcohol testing, including travel to and from the collection site;
- All time spent doing any other work for a motor carrier, including giving or receiving training and driving a company car; and
- All time spent doing paid work for anyone who is not a motor carrier, such as a part-time job at a local restaurant.

The bottom line is that on-duty time includes all time you are working for a motor carrier, whether paid or not, and all time you are doing paid work for anyone else.

The definition of on-duty time is found in Section 395.2.

### Travel Time

“Travel time” refers to you being transported to a new location as part of your job, but you are not performing any of the driving on the trip. Any travel time you do at the direction of your motor carrier is considered on-duty time. However, if you take at least 10 consecutive hours off duty once you get to your destination, you may count all of the time, including the travel time, as off duty.

**Example:** Your company sends you on a bus for 8 hours to pick up a truck and drive it back. You are simply riding the bus and not doing any other work for your company. Before driving the truck you take 10 consecutive hours off duty. In this case you may count all of the travel time as off duty as well.

The regulation on travel time is found in Section 395.1(j).

### ***What Is Off-Duty Time?***

By understanding the definition of on-duty time, you will get a good idea of what is considered off-duty time. In order for time to be considered off duty, you must be relieved of all duty and responsibility for performing work. You must be free to pursue activities of your own choosing and be able to leave the place where your vehicle is parked.

If you are not doing any work (paid or unpaid) for a motor carrier, and you are not doing any paid work for anyone else, you may record the time as off-duty time.



### ***What Is the Adverse Driving Conditions Exception?***

If **unexpected** adverse driving conditions slow you down, you may drive up to 2 extra hours to complete what could have been driven in normal conditions. This means you could drive for up to 13 hours, which is 2 hours more than allowed under normal conditions. Adverse driving conditions mean things that you did not know about when you started your run, like snow, fog, or a shut-down of traffic due to a crash. Adverse driving conditions do not include situations that you should have known about, such as congested traffic during typical "rush hour" periods.



Even though you may drive 2 extra hours under this exception, you must not drive after the 14<sup>th</sup> consecutive hour after coming on duty.

**Example:** You come to work at 7:00 a.m., start driving at 8:00 a.m., and drive 9 hours when you hit heavy fog at 5:00 p.m. The fog was not forecasted. At this point, the adverse driving conditions exception would allow you to drive for 4 more hours (2 hours to get to 11 and 2 extra hours due to the fog), taking you to 9:00 p.m. for a total of 13 hours of driving.

If, however, you come to work at 7:00 a.m., start driving at 12:00 p.m. and drive into fog at 5:00 p.m., you could still only drive until 9:00 p.m. for a total of 9 hours of driving. You would have to stop driving at 9:00 p.m. because you would have reached the 14-hour limit.

This regulation is found in Section 395.1(b).



## ***What Is the Non-CDL Short-Haul Exception?***

If you drive short distances in a truck that does not require a commercial driver's license (CDL), you might be able to use the non-CDL short-haul exception. This short-haul exception allows you to extend the 14-consecutive-hour duty period 2 days in a 7-consecutive-day period or after any 34-hour restart.

You can only use this exception if you:

- Drive a truck that does not require a CDL, and
- Work within a 150 air-mile radius (see p. 2 for explanation of "air miles") of your normal work reporting location and return there each day.

If you meet the criteria for using the non-CDL short-haul exception:

- You must not drive for more than 11 hours following 10 consecutive hours off duty;
- You must not drive past the 14<sup>th</sup> hour after coming on duty 5 days in any period of 7 consecutive days; and
- You must not drive past the 16<sup>th</sup> hour after coming on duty 2 days in any period of 7 consecutive days.
- You must not drive after being on duty 60 hours in any 7 consecutive days or 70 hours in any 8 consecutive days (unless you took 34 consecutive hours off to restart a 7/8-day period).

Under this exception you are not required to keep a log book, but your company must keep a time record for 6 months showing the times your duty period began and ended and your total hours on duty for the day.

If you come under this exception you are not eligible for the 100 air-mile radius exception, 16-hour short-haul exception, or the split sleeper berth provision.

This regulation is found in Section 395.1(e)(2).

## ***What Is the 16-Hour Short-Haul Exception?***

If you usually come back to your work-reporting location and go home at the end of your work-day, you might be able to use the 16-hour short-haul exception. This exception allows you to extend the 14-consecutive-hour duty period once every 7 consecutive days. In order to use this exception, you must do the following:

- You must return to your work reporting location that day, as well as for your last 5 duty tours. A duty tour is the period of time from when you come to work to when you leave work. It is your "workday," the time between your off-duty periods of at least 10 consecutive hours.
- You must be released from duty within 16 hours after coming on duty.
- You must only use this exception once every 7 consecutive days (unless you took 34 consecutive hours off to restart a 7/8-day period).

You may not use this exception if you qualify for the "Non-CDL Short Haul Exception" explained earlier.

This regulation is found in Section 395.1(o).



***Exceptions From the Hours-of-Service Regulations***

Category	Type of Exception	Conditions That Must Be Met	49 CFR Section
100 air-mile radius driver (Also see driver-salesperson)	<ul style="list-style-type: none"> <li>Logbook not required</li> </ul>	<ul style="list-style-type: none"> <li>Report and return to work reporting location within 12 consecutive hours</li> <li>Stay within 100 air-mile radius of work reporting location</li> <li>Keep time records showing time in, time out, and total number of hours</li> </ul>	§395.1(e)(1)
150 air-mile radius driver	<ul style="list-style-type: none"> <li>16-hour duty periods allowed twice per 7 day period, or after any 34-hour restart</li> <li>Logbook not required</li> </ul>	<ul style="list-style-type: none"> <li>Non-CDL driver</li> <li>Report and return to normal work reporting location every day</li> <li>Stay within 150 air-mile radius of work reporting location</li> <li>Keep time records showing time in, time out, and total number of hours</li> </ul>	§395.1(e)(2)
Adverse driving conditions	<ul style="list-style-type: none"> <li>Up to 2 additional hours of driving time</li> </ul>	<ul style="list-style-type: none"> <li>Additional driving time must fall within 14-hour duty window</li> <li>Weather or traffic condition must be unknown at start of run</li> </ul>	§395.1(b)(1) §395.2
Agricultural operations	<ul style="list-style-type: none"> <li>All hours-of-service regulations</li> </ul>	<ul style="list-style-type: none"> <li>Transporting agricultural commodities or farm supplies</li> <li>Stay within 100 air-miles of farm supplies or commodities to or from a farm</li> <li>During a state's declared planting and harvesting season</li> </ul>	§395.1(k) §395.2
Alaska	<ul style="list-style-type: none"> <li>15 hours of driving time</li> <li>20 hours of duty time</li> <li>70 hours/7 days or 80 hours/8 days</li> </ul>	<ul style="list-style-type: none"> <li>Driving a commercial motor vehicle in Alaska</li> </ul>	§395.1(h)
Construction materials and equipment	<ul style="list-style-type: none"> <li>24 consecutive hours off duty restarts 60 hour/7 day or 70 hour/8 day limit</li> </ul>	<ul style="list-style-type: none"> <li>Vehicle used to transport construction and pavement materials, construction equipment, and construction maintenance vehicles</li> <li>To or from active construction site</li> <li>Stay within 50 air-miles of normal work reporting location</li> <li>Does not apply to vehicles placarded for hazardous materials.</li> </ul>	§395.1(m) §395.2

**Exceptions from the Hours-of-Service Regulations, continued**

<b>Category</b>	<b>Type of Exception</b>	<b>Conditions That Must Be Met</b>	<b>49 CFR Section</b>
Driver-salesperson	<ul style="list-style-type: none"> <li>• 60 hour/7 day limit</li> <li>• 70 hour/8 day limit</li> <li>• Modified 100 air-mile radius logbook provision</li> </ul>	<ul style="list-style-type: none"> <li>• Sell goods or services</li> <li>• Stay within 100 miles of work reporting location</li> <li>• No more than half of all working time spent driving</li> <li>• Driving time does not exceed 40 hours in any 7 consecutive days</li> </ul>	§395.1(c) §395.1(e)(2)(ii) §395.2
Emergency relief	<ul style="list-style-type: none"> <li>• All hours-of-service regulations</li> </ul>	<ul style="list-style-type: none"> <li>• Declared national, regional, state, or local emergency</li> </ul>	§390.23
Emergency driving conditions	<ul style="list-style-type: none"> <li>• All hours-of-service regulations</li> </ul>	<ul style="list-style-type: none"> <li>• Legal run could have been completed if there wasn't an emergency</li> </ul>	§395.1(b)(2)
Federal government operated	<ul style="list-style-type: none"> <li>• All hours-of-service regulations</li> </ul>	<ul style="list-style-type: none"> <li>• None</li> </ul>	§390.3(f)(2)
Fire and rescue (non-government)	<ul style="list-style-type: none"> <li>• All hours-of-service regulations</li> </ul>	<ul style="list-style-type: none"> <li>• None</li> </ul>	§390.3(f)(5)
Ground water well drilling	<ul style="list-style-type: none"> <li>• 24 consecutive hours off duty restarts 60 hour/7 day or 70 hour/8 day limit</li> </ul>	<ul style="list-style-type: none"> <li>• Vehicle used primarily in transportation and operations of a groundwater well drilling rig</li> </ul>	§395.1(l)
Hawaii	<ul style="list-style-type: none"> <li>• Logbook not required</li> </ul>	<ul style="list-style-type: none"> <li>• Keep time records showing time in, time out, and total number of hours</li> </ul>	§395.1(i)
Local government operated	<ul style="list-style-type: none"> <li>• All hours-of-service regulations</li> </ul>	<ul style="list-style-type: none"> <li>• None*</li> </ul> <p>*Intrastate exceptions may be different. Check with state enforcement for details.</p>	§390.3(f)(2)
Movie and television production	<ul style="list-style-type: none"> <li>• 10 hours driving time</li> <li>• 15 hours on-duty time</li> <li>• 8 consecutive hours off duty</li> </ul>	<ul style="list-style-type: none"> <li>• Transportation of property or passengers to or from a theatrical or television or motion picture production site</li> <li>• Stay within 100 air-miles of normal work reporting location</li> </ul>	§395.1(p)
New York State grape harvesters	<ul style="list-style-type: none"> <li>• All hours-of-service regulations</li> </ul>	<ul style="list-style-type: none"> <li>• Grapes transported</li> <li>• Stay within State of New York</li> <li>• West of I-81</li> <li>• Stay within 150 air-mile radius of where grapes picked or distributed</li> <li>• During State of New York's harvest period</li> </ul>	§395.1(q)
Oilfield operations	<ul style="list-style-type: none"> <li>• 24 consecutive hours off duty restarts 70 hour/8 day limit</li> </ul>	<ul style="list-style-type: none"> <li>• Transportation of oilfield equipment and servicing field operations of gas &amp; oil industry</li> </ul>	§395.1(d)(1)

**Exceptions from the Hours-of-Service Regulations, continued**

<b>Category</b>	<b>Type of Exception</b>	<b>Conditions That Must Be Met</b>	<b>49 CFR Section</b>
Oilfield operations	<ul style="list-style-type: none"> <li>• Waiting time at natural gas or oil well site not counted as on-duty time</li> </ul>	<ul style="list-style-type: none"> <li>• Specially trained drivers operating specially constructed vehicles used to service oil wells</li> <li>• Accurate time records must be available for inspection</li> </ul>	§395.1(d)(2)
Personal property occasional transportation	<ul style="list-style-type: none"> <li>• All hours-of-service regulations</li> </ul>	<ul style="list-style-type: none"> <li>• None</li> </ul>	§390.3(f)(3)
Retail store deliveries	<ul style="list-style-type: none"> <li>• 11-hour driving time</li> <li>• 14-hour duty period</li> <li>• 60 hour/7 day limit</li> <li>• 70 hour/8 day limit</li> </ul>	<ul style="list-style-type: none"> <li>• Local deliveries from retail stores and/or catalog businesses to the ultimate consumer</li> <li>• Stay within 100 air-miles of normal work reporting location</li> <li>• Only December 10 through December 25</li> </ul>	§395.1(f)
School bus — contractor-operated	<ul style="list-style-type: none"> <li>• All hours-of-service regulations</li> </ul>	<ul style="list-style-type: none"> <li>• Transportation of school children and/or school personnel from home to school and from school to home</li> </ul>	§390.3(f)(1)
Short-haul exception (16-hour) Also see the "100 air-mile radius driver" and "150 air-mile radius driver" entries at beginning of this Table.	<ul style="list-style-type: none"> <li>• 16-hour duty period allowed once per 7 day period, or after any 34-hour restart</li> </ul>	<ul style="list-style-type: none"> <li>• Return to work reporting location that day and for last 5 duty tours</li> <li>• Be released from duty within 16 consecutive hours</li> <li>• Use once every 7 consecutive days or after a 34-hr. restart</li> <li>• Does not apply if driver is eligible for 150 air-mile radius exception (see above).</li> </ul>	§395.1(o)
State government operated	<ul style="list-style-type: none"> <li>• All hours-of-service regulations</li> </ul>	<ul style="list-style-type: none"> <li>• None*</li> </ul> <p>*Intrastate exceptions may be different. Check with state enforcement for details.</p>	§390.3(f)(2)
Utility service vehicles	<ul style="list-style-type: none"> <li>• All hours-of-service regulations</li> </ul>	<ul style="list-style-type: none"> <li>• Vehicle used to repair, maintain, deliver public utility services including electric, gas, water, sanitary sewer, telephone, television cable, or community antenna service</li> <li>• Includes travel to and from activity sites</li> <li>• Operates primarily within service area of utility's subscribers or consumers</li> </ul>	§395.1(n)

***How Does the Sleeper Berth Provision Work?***

If you drive a truck that has a sleeper berth that meets the requirements of the safety regulations, you may use it to get the required off-duty time in three ways:

1. You may spend time in your sleeper berth to get some of, or all of, the 10 consecutive hours of off-duty time. When getting your 10 consecutive hours of off-duty time, what is



most important is that you do not go on duty or drive during those 10 hours. At the end of the 10 consecutive hours of combined sleeper and/or off-duty time, your 11-hour driving and 14-hour duty-period limits would completely restart.

2. You may also use the sleeper berth to extend the 14-hour limit. Any period in the sleeper berth of at least 8 consecutive hours will not count as part of the 14 hours, and, therefore, would allow you to extend the time during which you could use your maximum 11 hours of driving.
3. You may also use the sleeper berth in a different way to get the "equivalent of at least 10 consecutive hours off duty." To do this, two rest periods are required. You must spend at least one of the two required rest periods in your sleeper berth. The required rest period in the sleeper berth must be at least 8 consecutive hours (but less than 10 consecutive hours). This rest period will not count as part of the 14 hours. The other, separate, rest period must be at least 2 consecutive hours (but less than 10 consecutive hours). This rest period may be spent in the sleeper berth, off duty, or sleeper berth and off duty combined. It *will* count as part of the 14 hours (unless you spend at least 8 consecutive hours in the sleeper berth). It does not matter which rest period you take first. After you complete your second required rest period, you will have a new point on the clock from which to calculate your hours available. This new "calculation point" will be at the time you completed your first required rest period.

**Example:** You come to work at 7:00 a.m. You begin driving at 10:00 a.m. and at 2:00 p.m. you spend 8 hours in your sleeper berth. At 10:00 p.m. you resume driving. Those 8 hours in the sleeper berth do not count as part of the 14 hours.

This means that you only used 7 of your 14 hours so far, and your 14-hour limit gets extended from 9:00 p.m. that evening to 5:00 a.m. the next morning. Your driving limit is still 11 hours and so far you have only driven 4 hours. That means you have 7 hours of driving time still available, allowing you to drive from 10:00 p.m. until 5:00 a.m.

At 5:00 a.m. you take your second rest period, going off duty for 2 hours. That brings you to 7:00 a.m.

Let's recap the trip so far:

Start Time	End Time	Activity	Hours Used
7:00 a.m.	10:00 a.m.	On duty/not driving	3
10:00 a.m.	2:00 p.m.	Driving	4
2:00 p.m.	10:00 p.m.	Sleeper berth	8
10:00 p.m.	5:00 a.m.	Driving	7
5:00 a.m.	7:00 a.m.	Off duty	2

How much time do you have available now under the 14-hour rule?

Since you met the regulation of getting the equivalent of 10 hours off duty in two periods, you now have a new calculation point for figuring your 11 and 14 hours. Your new calculation point is at the end of the first rest period, which was at 10:00 p.m. Your new 14-hour period begins at 10:00 p.m. and ends 14 hours later, at noon the following day. During that new 14-hour period you are allowed 11 hours of driving.

From 10:00 p.m. to 7:00 a.m. you used-up 9 of the 14 duty-period hours and 7 of the 11 hours of driving time. Therefore you now have 5 hours of duty time available during which you are allowed to drive 4 hours.

Because your 14-hour duty period ends at 12:00 noon that day, before you can drive a CMV again after 12:00 noon, you must have another rest period in the sleeper berth of at least 8 consecutive hours (if you are using the sleeper-berth exception). After that you must again recalculate how many hours you will have available. Your new calculation point will be the end of the 2-hour off-duty period you took earlier (7:00 a.m.).

Remember that you are allowed to do non-driving work after the 14-hour limit is reached, just no more truck driving (but the additional time would count toward your weekly 60- or 70-hour limit).

Each time you take one of the two required rest periods, you will need to recalculate the on-duty and driving hours available. You could continue using the sleeper berth regulation and recalculating your hours available until you have 10 *consecutive* hours off duty. After 10 *consecutive* hours off duty, you have 11 hours of driving time and 14 consecutive hours of duty time available again.

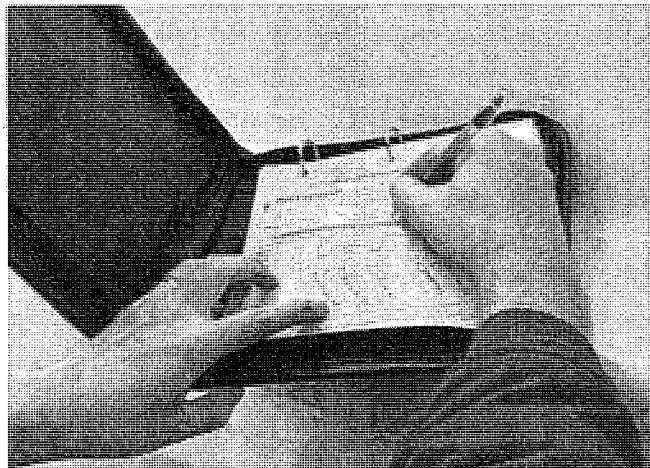
This regulation is found in Section 395.1(g).

### ***What Is a "Driver's Daily Log"?***

Now that we have finished talking about the hours of service limits, it's time to talk about what you must do to keep track of your time. This is done in written form, unless your time is being recorded electronically using an automatic on-board recording device, which we will explain later.

The written form you must fill out as you do your work is called the "record of duty status." Common names for this form are the driver's daily log, log, or logbook. You do not have to fill out a log if you come under an exception. Logbook exceptions will be discussed later.

Everything you write on the log must be true and correct. You must make all of your own entries (unless something has been preprinted on the log). You must fill out an original and one copy of your log.



You must account for every day on your log, even days off, unless you are covered by a logbook exception on any of the days. The log must cover all 24 hours of every day. (Each 24-hour page of your logbook does not have to have a grid starting at midnight; there are provisions for your employer to designate a different starting time for each 24-hour period.)

Authorized government inspectors may check your logs at any time. You must have a log for each day of the last 8 days that you were required to log (you might have been under an exception on some of those days). The current day's log must be current to your last change of duty status. Inspectors check your logs to see if you have violated the hours-of-service regulations. Violations of the hours-of-service regulations can result in being fined and/or placed out of service.

This regulation is found in Section 395.8.

### ***Who Must Complete a Log?***

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Any person who is subject to the safety regulations and drives a commercial motor vehicle (CMV) must complete a logbook page for any day that includes CMV driving and for the prior 7 days (unless under an exception on some of those days). There are two general exceptions, as described below.

### ***What Are the Exceptions From the Logging Requirements?***

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#### **100 Air-Mile Radius**

You are not required to fill out a log with a graph grid if you come under the 100 air-mile radius exception (see p. 2 for explanation of "air miles"). The 100 air-mile radius exception applies for any day in which you:

- Drive within a 100 air-mile radius of your normal work reporting location,
- Return to your work reporting location and are released within 12 consecutive hours, and
- Follow the 10-hour off-duty and 11-hour driving requirements.

Your motor carrier must keep time records of the times you report for and are released from work each day, and the total hours on duty each day. You do not have to have these records in your truck.

This exception is optional. For example, you and your employer may choose to use a logbook even though you are within the 100 air-mile radius, so that you do not have to be released from work within 12 hours that day.

This regulation is found in Section 395.1(e)(1).

#### **Non-CDL Short-Haul**

You are not required to fill out a log with a graph grid if you come under the non-CDL short-haul exception. The non-CDL short-haul exception applies on days when you:

- Drive a truck that does not require a CDL, and
- Work within a 150 air-mile radius (see p. 2 for explanation of "air miles") of your normal work reporting location and return there each day.

Your motor carrier must keep time records of the times you report for and are released from work each day, and the total hours on duty each day.

This regulation is found in Section 395.1(e)(2).

## What Must the Log Include?

The regulations do not say what the log form must look like. However, it must include a 24-hour graph grid, which is shown in the regulations, and the following information on each page:

The diagram shows a form titled "U.S. DEPARTMENT OF TRANSPORTATION DRIVER'S DAILY LOG (ONE LOG PER DAY - 24 HOURS)". It includes fields for "Date", "Name of carrier", "Main office address", and "24-hour period starting time". A central grid is used for recording duty status: 1: OFF DUTY, 2: SLEEPER, 3: DRIVING, and 4: ON DUTY. The grid has columns for each hour of the day (1-24) and a "TOTAL HOURS" column. Other fields include "Total miles driving today", "Truck or tractor and trailer number", "Driver's signature/certification", "Name of co-driver", "REMARKS", and "Shipping document number(s), or name of shipper and commodity".

- **Date.** You must write down the month, day, and year for the beginning of each 24-hour period. (Multiple consecutive days off duty may be combined on one log page, with an explanation in the "Remarks.")
- **Total miles driving today.** You must write down the total number of miles you drove during the 24-hour period.

- **Truck or tractor and trailer number.** You must write down either the vehicle number(s) assigned by your company, or the license number and licensing state for each truck (and trailer, if any) you drove during the 24-hour period.
- **Name of carrier.** You must write down the name of the motor carrier(s) you are working for. If you work for more than one carrier in a 24-hour period, you must list the times you started and finished work for each carrier.
- **Main office address.** You must write down your carrier's main office address.
- **Your signature.** You must certify that all of your entries are true and correct by signing your log with your legal name or name of record.
- **Name of co-driver.** You must write down the name of your co-driver, if you have one.
- **Time base to be used.** You must use the time zone in effect at your home terminal. Even if you cross other time zones, record time as it is at your terminal. All drivers operating out of your home terminal must use the same starting time for the 24-hour period, as designated by your employer.
- **Remarks.** This is the area where you must list the city, town, or village, and state abbreviation when a change of duty status occurs. You should also explain any unusual circumstances or log entries that may be unclear when reviewed later, such as encountering adverse driving conditions.
- **Total hours.** You must add and write down the total hours for each duty status at the right side of the grid. The total of the entries must equal 24 hours (unless you are using one page to reflect several consecutive days off duty).
- **Shipping document number(s), or name of shipper and commodity.** For each shipment, you must write down a shipping document number (such as a shipping manifest number) or the name of the shipper and what you are hauling.

### The Graph Grid

Here is what your graph grid must look like. The other required information may be placed anywhere on the page outside the grid.

1: OFF DUTY	
2: SLEEPER BERTH	
3: DRIVING	
4: ON DUTY (NOT DRIVING)	
REMARKS	

You must keep the grid on your log current to your last change of duty status. For example, if you are driving and an inspector stops you and asks to see your logbook, the final entry should show the time and place that you last started driving.

The grid will have the starting time and the hours marked above it. You must draw lines on the grid as follows:

**Off Duty.** Draw a solid line between the appropriate time markers to show the periods of time you are off duty.

**Sleeper Berth.** Draw a solid line between the appropriate time markers to show the periods of time you are resting in a sleeper berth.

**Driving.** Draw a solid line between the appropriate time markers to show the periods of time you are behind the wheel of a commercial motor vehicle in operation.

**On Duty (Not Driving).** Draw a solid line between the appropriate time markers to show the periods of time when you are on duty, but not driving a commercial motor vehicle. Time spent driving a non-CMV for a carrier would be included here.

### The "Remarks"

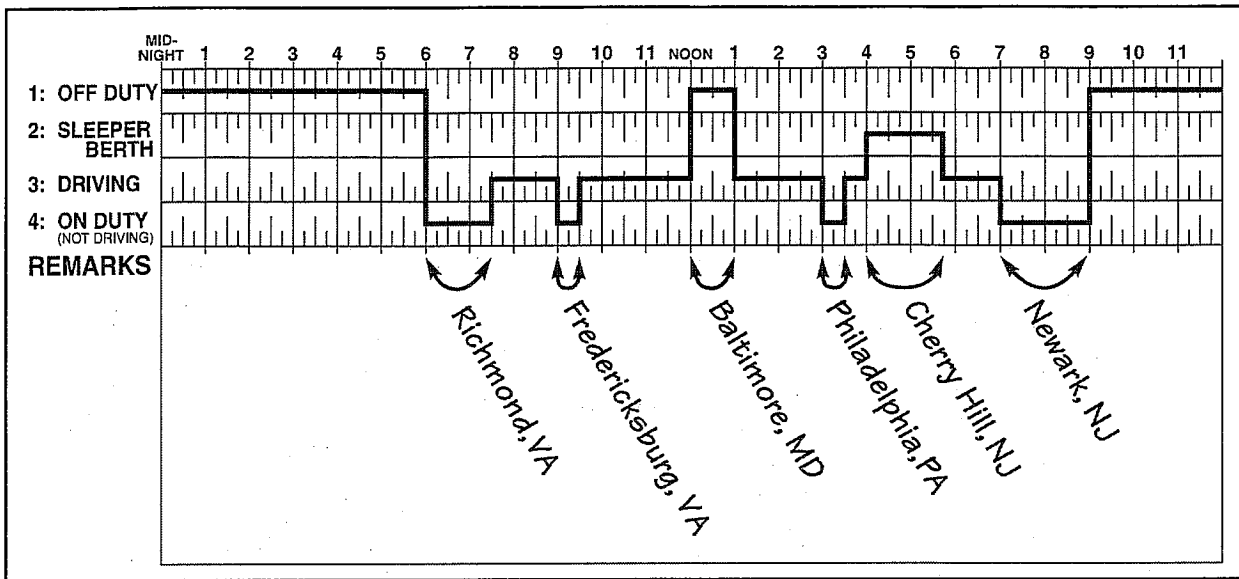
Each time you change your duty status, you must write down the name of the city, town, or village, and state abbreviation, in the Remarks section. If the change of duty status takes place at a location other than a city, town, or village, you must show one of the following:

- The highway number and the nearest milepost followed by the name of the nearest city, town, or village and state abbreviation,
- The highway number and the name of the service plaza followed by the name of the nearest city, town, or village and state abbreviation, or
- The highway numbers of the two nearest intersecting roadways followed by the name of the nearest city, town, or village, and state abbreviation.

You may write other things in the Remarks section, such as shipping information, a note about adverse driving conditions, or when you cross a state line.



A Completed Grid



In this sample log grid, a driver we'll call John Doe went from Richmond, Virginia, to Newark, New Jersey. The driver's day went like this:

- John Doe reported for work at 6 a.m. He helped load, checked with dispatch, and did a pre-trip inspection. This is on-duty time. John marked midnight to 6 a.m. as **off duty**, then drew a line straight down to **on duty** and drew a horizontal line from 6 a.m. to 7:30 a.m.
- After driving 1½ hours, John stopped to fuel his truck. John marked the driving time on the **driving line**. The time at the truck stop (½ hour) is marked **on duty, not driving**.
- John then drove for 2½ hours to the Baltimore terminal where he had lunch. He again recorded his **driving** time. After lunch he recorded his lunch time as **off duty** since he had instructions from his carrier to log his lunch time as off duty and did not have any work responsibilities during this time.
- After lunch John drove for 2 more hours and stopped to make a delivery. He recorded his time again. Following the half-hour delivery stop, which he recorded as **on duty, not driving**, he started driving again.
- After ½ hour of driving, John stopped, recorded his **driving** time, and went into the sleeper berth from 4:00 to 5:45.
- At 5:45 John recorded his **sleeper berth** time and began driving again. He reached the Newark terminal at 7:00, did a post-trip inspection, and finished his log and other paperwork.
- He went off duty at 9:00 p.m.

Notice that John was on duty for more than 14 hours. There is no problem with being on duty longer than 14 hours as long as there is no CMV driving time after the 14th hour.

In the **Remarks** Section, John wrote down the locations of duty status changes as follows:

- He reported for work at Richmond, VA.



## *What Is an Automatic On-Board Recording Device?*

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Many motor carriers have installed electronic devices in their trucks to help accurately record hours-of-service information. If such a device meets the requirements of Section 395.15 of the safety regulations, it is called an Automatic On-Board Recording Device (AOBRD), and may be used in place of a paper logbook.

Manufacturers of AOBRDs must certify that their devices meet the Section 395.15 requirements. This includes a requirement that an AOBRD must be mechanically or electronically connected to the truck to automatically record, at a minimum, engine use, road speed, miles driven, the date, and time of day. Drivers enter other information required to complete the hours-of-service records. You should discuss with your carrier whether any device on your truck used to record hours-of-service information has been certified to meet Section 395.15 requirements.

The AOBRD device must be capable of displaying or printing for enforcement officers the times of duty status changes and other required information. It must also store this information for the prior 7 days. You may review Section 395.15 for additional AOBRD requirements.

An AOBRD may be used without creating any paper copies of logs by transmitting the data electronically to the carrier, or it may be used to print copies of the logs that would be signed by the driver and mailed to the carrier.

You may have heard about Electronic On-Board Recorders (EOBRs). The use of EOBRs to record hours-of-service information is not yet authorized by the safety regulations, but it has been formally proposed. An EOBR is more complex than an AOBRD and, if approved, may use new technologies such as Global Positioning Systems to automatically record additional hours-of-service information.



**Interstate Truck Driver's Guide to Hours of Service**

**I have read and understand the Interstate Guide to Hours of Service. I agree to adhere to all the rules and regulations and will comply with the driving guidelines and laws of the state that I am driving in for Power Plus.**

**Dept # \_\_\_\_\_ State \_\_\_\_\_**

**Print Name \_\_\_\_\_ Date \_\_\_\_\_**

**Signature \_\_\_\_\_ Date \_\_\_\_\_**