

**POLICY - FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
MANDATED DRUG AND ALCOHOL TESTING PROGRAM**

5202

The Board of Directors directs the Superintendent to establish programs and procedures as mandated by and in accordance with Federal Motor Carrier Safety Administration (FMCSA) controlled substances, including marijuana (cannabis), and alcohol testing rules.

Prohibited Alcohol and Controlled Substance-Related Conduct

The following alcohol and controlled substance-related activities are prohibited by the district for employees required to possess a commercial driver's license (CDL) as part of their job responsibilities:

1. Reporting for duty or remaining on duty to perform safety-sensitive functions while having an alcohol concentration in excess of the standard set by the FMCSA;
2. Being on duty or operating a vehicle while the driver possesses alcohol or controlled substances in any amount;
3. Using alcohol while performing safety-sensitive functions;
4. When required to take a post-accident alcohol test, using alcohol within eight hours following the accident or prior to undergoing a post-accident alcohol test, whichever comes first;
5. Refusing to submit to an alcohol or controlled substance test required by post-accident, random, reasonable suspicion or follow-up testing requirements;
6. Reporting for duty or remaining on duty when using any controlled substance, except when instructed by a prescribing authority who has advised the driver and the district in writing that the substance does not adversely affect the driver's ability to safely operate a vehicle. Drivers are required to inform the district of any therapeutic drug use upon it being prescribed. The use of any medication that could affect a driver's safe job performance is prohibited while working;
7. Reporting for duty, remaining on duty or driving if the driver tests positive or would test positive for controlled substances;

No supervisor having actual knowledge of the above violations will permit a driver to perform or continue to perform safety-sensitive functions.

Violations of this policy will result in appropriate corrective action ranging from removal from the performance of safety-sensitive functions up to and including discharge.

Legal References:	49 CFR §§ 382	Controlled substances and alcohol use and testing
	49 CFR § 40	Procedures for transportation workplace drug and alcohol testing programs
Adopted:	December 5, 1994	NTSD Board of Directors
Amended:	December 4, 1995	NTSD Board of Directors
	August 24, 2010	NTPS Board of Directors
	May 2, 2023	NTPS Board of Directors