

**ADMINISTRATIVE PROCEDURES**

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| **60.07 Post-Accident Drug and Alcohol Testing for Commercial Driver's License (CDL) Holders**  | **Revised: April 10, 2023** |

1. GOVERNING REGULATIONS

These procedures are governed by System Policy [34.02](http://policies.tamus.edu/34-02.pdf), *Drug and Alcohol Abuse, System Policy* [34.03](http://policies.tamus.edu/34-03.pdf), *Alcoholic Beverages*, System Regulation [34.02.01](http://policies.tamus.edu/34-03.pdf)*, Drug and Alcohol Abuse and Rehabilitation Programs*, Texas A&M Forest Service Agency Rule [34.02.01.F1](http://tfsfinance.tamu.edu/modules/finance/admin/rules/340201F1%20Drug%20Alcohol%20Abuse%20Rehab.docx), *Drug and Alcohol Abuse and Rehabilitation Programs,* Administrative Procedure [60.01](http://tfsfinance.tamu.edu/modules/finance/admin/admin_procedures/6001%20Alcoholic%20Beverages.docx), *Alcoholic Beverages* and the U.S. Department of Transportation – Federal Highway Administration Regulation – [49 CFR Part 382.303](https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B/part-382/subpart-C/section-382.303)*.*

2. PURPOSE

Texas A&M Forest Service is committed to providing a safe, drug and alcohol free working environment for its employees, customers and the general public. Employees who are required to have a commercial driver’s license (CDL) must comply with U.S. Department of Transportation - Federal Highway Administration regulations and will be tested 1) pre-employment, 2) post-accident, 3) reasonable suspicion, 4) random and 5) return-to-duty.

The purpose of this procedure is to supplement Agency Rule 34.02.01.F1, *Drug and Alcohol Abuse and Rehabilitation Programs* and to establish post-accident drug and alcohol testing requirements for agency drivers who are involved in an accident in an agency vehicle and possess a CDL.

3. REQUIREMENTS

 A post-accident drug and alcohol test will be administered to a CDL holder immediately after an accident involving a commercial motor vehicle (CMV) that he/she was driving in the performance of their assigned duties.

4. POST-ACCIDENT RESPONSIBILITIES

 CDL Holder

* Seek medical attention and/or assistance immediately.
* Notify supervisor immediately of the accident involving a CMV vehicle.
* Remain available for drug and alcohol testing for a maximum period of 32 hours after the accident, unless instructed testing is not required.
* Failure to remain available will be treated as a refusal to test.

Supervisor

* Contact the Environmental Health and Safety Officer (EHS Officer) immediately at 979-458-6697 or 979-321-0606 upon notification of an accident involving a CDL holder in an agency vehicle.

**Note:** Employees are subject to reasonable suspicion testing for drugs and/or alcohol use as defined in System Regulation 34.02.01. Reasonable suspicion testing is based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odor of the employee. If the supervisor determines there is evidence the CDL holder should submit to a reasonable suspicion test, Agency Rule 34.02.99.F1, *Drug and Alcohol Abuse and Rehabilitation Programs* will be followed (post-accident timeframes for drug and alcohol testing apply).

 EHS Officer

* Ensure to the extent possible that drug and alcohol tests are conducted within the required testing periods following an accident.
* Arrange for testing, transmittal of results and payment for services to be completed at a certified collection site.
* Prepare, document and maintain CDL holder's testing.

5. TESTING

 Alcohol Testing

* Alcohol testing will be administered to the driver as soon as possible, but no later than 8 hours after the accident.
* If the test is not administered within 8 hours following the accident, attempts to administer the test will cease.
* The EHS Officer will prepare and maintain documentation stating the reasons the test was not promptly administered within the time limit.

 Drug Testing

* Drug testing will be administered to the driver as soon as possible, but no later than 32 hours following the accident.
* If the test is not administered within the 32 hour time limit, attempts to administer the test will cease.
* The EHS Officer will prepare and maintain documentation stating the reasons the test was not promptly administered within the time limit.

 **Note:** To the extent possible, both the drug and alcohol tests will be administered to the driver within 8 hours of the accident. If the 8 hour time limit is exceeded but testing still occurs within the 32 hour time limit, then the drug test will be performed.

Pending Results

If a driver is administered a post-accident drug and alcohol test, he/she will not be removed from duty pending the results unless the test is documented as a reasonable suspicion testing.

Refusal to Take Test

If a CDL holder refuses to take a post-accident drug and/or alcohol test, it will be deemed a failure of the test(s).

Failure of Test

If a CDL holder fails a post-accident drug and/or alcohol test, he/she will be immediately prohibited from operating any vehicles in the performance of his/her duties and will be subject to disciplinary actions, in accordance with System discipline and dismissal policies and regulations.

CONTACT: Environmental Health Safety Officer, (979) 458-6697