

U.S. Department of Transportation Publishes Guidance For Updating Drug and Alcohol Testing Policies

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The drug testing panel utilized by the U.S. Department of Transportation's operating agencies will change on January 1, 2018. DOT published [guidance on December 1, 2017](#) to assist employers with regard to updating their drug and alcohol testing policies. The guidance states as follows:

"The Federal Transit Administration, Federal Motor Carrier Safety Administration, Federal Aviation Administration, Pipeline and Hazardous Materials Safety Administration, Federal Railroad Administration, and U.S. Coast Guard take this position:

There is no need for employers to make any changes if their current DOT policies refer to adhering to "... Part 40." However, there are exceptions when an employer's DOT policy lists the following optional information:

- If sub-categories of drugs tested under the 5-panel are listed – for example, if a policy lists "Opiates (codeine, heroin, & morphine)" and/or "Amphetamines (amphetamine, methamphetamine, MDMA, MDA, MDEA), then "Opiates" needs to change to "Opioids (codeine, heroin, morphine, oxycodone, oxymorphone, hydrocodone, hydromorphone)" and "MDEA" will need to be removed from the list under Amphetamines. If however, employers would like to delete the sub-categories of drugs, doing so will also be acceptable.
- Likewise, if cut-off levels are listed in current policies, employers must update those cut-off levels. Again, employers may simply delete the cut-off levels completely and be in compliance if the DOT policy refers to adhering to "... Part 40."
- While these DOT Agencies and USCG suggest that employers provide written notice to employees about their updated DOT policies, doing so is an employer's prerogative."

DOT-regulated employers should review their drug and alcohol testing policies to determine whether any revisions are required to comply with the changes effective January 1, 2018.

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