



# CDL Student Handbook

2024-25 School Year



**LANCASTER COUNTY**  
**CAREER & TECHNOLOGY**  
**CENTER**



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# Adult and Continuing Education

## Commercial Driver Training Program

### CDL Driver Training & Licensing Center

## MISSION, VISION, & CORE BELIEFS

### Our Mission

- Prepare people for skilled, innovative and productive careers.

### Our Vision

- The Lancaster County Career & Technology Center is a full-service career and technical school dedicated to preparing high school students and adults for careers in the new economy. LCCTC is best among its class and strives to meet the highest standards of quality instruction.

### Our Core Beliefs

- We believe all students will meet high standards, occupational competence and reach their full potential.
- We believe all students will thrive in a setting that simulates the world of work and provides hands-on learning.
- We believe that the vitality of our economic community depends upon the success of building partnerships with area industries, businesses and organizations.
- We believe in operating in an ethical way with the best interests of the students in mind at all times.

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## **ABOUT OUR PROGRAM**

Recognizing a need for qualified drivers in the trucking industry, the Lancaster County Career & Technology Center (LCCTC) instituted its truck driver program in the early 1990's. For nearly 35 years, we have been training individuals to move into the trucking industry. We have built our reputation on producing qualified, skilled drivers with the knowledge and attitude necessary to be successful in the industry.

Today's trucking world requires drivers that are not only skilled at operating a commercial motor vehicle but can also handle the ever-changing technology and regulations associated with the industry. At LCCTC, we prepare students to be successful in the modern trucking industry with late model tractors and a classroom.

This program is certified by the Federal Motor Carrier Safety Administration (FMCSA) as an Entry Level Driver Training (ELDT: 49 CFR part 380 subpart F) program and registered on the FMCSA Training Provider Registry (TPR).

## **SCHOOL FACILITIES AND EQUIPMENT**

The site includes a state-of-art classroom and student/driver lounge. The practice area includes multiple training pads and was repaved in August 2019.

The main equipment used is 2014 or newer 10 speed tractors. There is, also, one 2020 Automatic tractor. Some are equipped with disc air brakes.

## CLASS STRUCTURE

The 160-hour Class A program is offered as a full-time class typically running Monday through Thursday, 6:30am to 4:30pm. The class runs for four weeks. A CDL Skills Test will be scheduled for you on the 5<sup>th</sup> week. The CDL Skills test can take up to 3 hours. The program consists of two phases: classroom/theory and behind-the-wheel.

## CLASSROOM/THEORY SCHEDULE

	<b>Presenter/Instructor</b>
<b>• Day 1</b>	
◇ Welcome Message	Program Director
◇ Staff Introduction	All Staff
◇ Class Overview	Program Director
◇ Class Rules	Program Director
◇ FMCSA Clearinghouse	Program Director
◇ General Knowledge	Classroom Instructor
◇ Hours of Service	Classroom Instructor
<b>• Day 2</b>	
◇ General Knowledge Continued	Classroom Instructor
◇ ELDT Required Topics	Classroom Instructor
◇ Combination Vehicle	Classroom Instructor
◇ Hours of Service	Classroom Instructor
<b>• Day 3</b>	
◇ ELDT Required Topics	Classroom Instructor
◇ Air Brakes	Classroom Instructor
◇ Hours of Service	Classroom Instructor
◇ Pre-Trip/Post-trip Inspection	Classroom Instructor
<b>• Day 4</b>	
◇ Map Reading/Trip Planning	Classroom Instructor

◇ ELDT Required Topics	Classroom Instructor
◇ Weight Distribution/Cargo Securement	Classroom Instructor
◇ 10 Speed Manual Shifting	Classroom Instructor
◇ G. O. A. L.	Classroom Instructor
◇ Defensive Driving	Classroom Instructor

## **BEHIND-THE-WHEEL (with BTW Instructor)**

- **Days 5-6**

- ◇ Meet the truck
- ◇ Pre-trip/post-trip Inspection
- ◇ Shifting gears 1-5 or,
- ◇ Proper automatic transmission use
- ◇ Straight-line backing
- ◇ Hours of Service requirements

- **Days 7-8**

- ◇ Pre-trip/post-trip Inspection
- ◇ Coupling/uncoupling
- ◇ Shifting gears 1-6
- ◇ Straight-line backing
- ◇ Hours of Service requirements

- **Days 9-16**

- ◇ Pre-trip/post-trip Inspection
- ◇ Basic control skills
- ◇ On road practical driving
- ◇ Shifting gears 1-10
- ◇ Left/right turns



- ◇ Lane changes
- ◇ Curves at highway speeds
- ◇ Entry and exit on the interstate or controlled access highway
- ◇ Communications/signaling
- ◇ Visual search
- ◇ Speed and space management
- ◇ Safe driver behaviors
- ◇ Hours of Service requirements
- ◇ Hazard perception
- ◇ Railroad-highway grade crossing
- ◇ Night operation (instructional)
- ◇ Extreme driving conditions (instructional)
- ◇ Skid control/recovery, jackknifing, and other emergencies (instructional)
- ◇ CDL Skills Test preparation

## GRADING

Classroom grading is based on attendance, in-class quizzes, and tests. Behind-the-wheel grading is based on

Grade reports will be issued once class is complete. These reports will list the grades and attendance. A grade is given to each participant as an indication of individual achievement. Upon successful completion of the 160-hour program the student is scheduled for their CDL Skills test, which is administered at LCCTC. Tuition will cover the cost of two CDL exams. Those who fail their first two attempts will need to pay out-of-pocket for any subsequent tests.

## Grading

4.0	90%-100 %	WP = Withdrew passing
3.0	80% - 89%	WF = Withdrew failing
2.0	70% - 79%	INC = Incomplete
1.0	60% - 69%	
0.0	60%	

## LCCTC ATTENDANCE POLICY

Regular school attendance is essential for success at school or on the job. Obviously, periodic absence caused by illness, doctor's appointments, job interviews, etc. are a part of life. However, when excessive absences are incurred during the class term, this will certainly affect the final grade results.

Lancaster County CTC has no system of excused absences or allowed class cuts and all absences are recorded regardless of the reason. Attendance is vital to the achievement and acquisition of good work habits. Graduates are screened by prospective employers not only for academic achievement, but for attendance as well.

## PROGRAM ATTENDANCE

Regular attendance for adult education classes is essential to acquiring a new skill. It is the responsibility of every student to attend every class for the duration of the course. A CDL student must attend at a minimum 140 hours of the total 160 program hours to be eligible for transcripts and a certificate.

The CDL course is a 160-hour fast-paced training certificate class. We do not have make-up days for this class. LCCTC could terminate enrollment of a student after missing:

- 2 days, or
- a total 20 hours, or
- If at any time attendance falls below 140 hours

Our schedule doesn't allow for make-up time. If we have an opening, we can bring you back in the next available class, but there is no guarantee. If dropped, you will be charged for the reenrollment training. See the refund policy below.

## **CERTIFICATE**

Certificates will be awarded to all individuals who successfully complete all parts of the program. Successful completion requires that the student attend at least 80% of instruction in each of the three blocks, classroom, range, and road (see attendance policy above); receive a grade point average of 2.0 or better; and pass the CDL Skills Test.

Successful completion of the course and passing of the CDL Skills Test will result in a:

- Class A commercial driver's license
- LCCTC Certificate of Completion
- Unofficial transcripts

All grades earned by students and their course attendance hours will be kept on file in the Adult and Continuing Education Office. By law, they will be given to any



transportation company that requests them through the FMCSA employee work verification form, once the student give the employer written permission to request this information.

## **NO JOB PLACEMENT GUARANTEES**

The Lancaster County CTC does not guarantee job placement to graduates upon program completion. You may be able to obtain a Commercial Driver’s License by state and federal law BUT depending on one’s personal background and/or MVR report, it may be difficult to obtain a job. Lancaster County CTC does not guarantee anyone a CMV CDL Class A OR B license.

Many truck fleet employers come to the LCCTC to speak to and, at times, hire our students. Disclaimer: Every transportation company has their own minimum hiring requirements.

## **STUDENT CODE OF CONDUCT**

The Lancaster County Career and Technology Center believes that a safe and healthy environment promotes a positive and effective student experience.

## **FRATERNIZATION BETWEEN ADULT, SECONDARY, & DAYCARE STUDENTS**

It is the opinion of the LCCTC Adult and Continuing Education Center Administration that the welfare of LCCTC

's secondary students and students enrolled in the Daycare are better served if there is little to no interaction between these students and the students enrolled in the adult and postsecondary programs. Therefore, the LCCTC Adult and Continuing Educating Center administration does not condone, support, or encourage fraternization or socialization between adult students and students enrolled in the secondary school and/or the Daycare.

**POLICY:** While it is understood that Adult and Continuing Education Center students have the right to access necessary areas of the building for their successful completion of their classes and programs, (to include the cafeteria, areas where their classes are taking place, the parking lot and other designated areas) students enrolled in adult or post-secondary programs and courses at LCCTC are not permitted to fraternize or socialize with students enrolled in the secondary school and/or Daycare. This policy extends from casual socialization to, and including, developing close personal relationships. The LCCTC administration assumes that adult students understand their super ordinate position relative to the secondary students and Daycare students: therefore, the adult student becomes the party responsible should any type of relationship develop. Except for administratively authorized interaction, or where there are jointly operated classes containing both Adult and High School students, adult students are expected to have little to no contact with the aforementioned students. Adult students arriving at LCCTC before their classes begin should stay in the training area

provided their instructor is present. If the instructor is not present, adult students are expected to stay in the main lobby or cafeteria when not in use until their classes begin. Adult students should only be traversing between their assigned locations, classes and areas they have been directed to by appropriate staff members; they should not be roaming the halls of the school or loitering in proximity to the secondary and/or Daycare classrooms while classes are in session.

**BREAKING POLICY:** Depending on the circumstances, adult students who break the fraternization and socialization policy for the first time may receive a verbal and/or written warning from either the Administrative Director of the school, the Director of Adult Education or designee. A second offense may result in suspension or involuntary discharge from the school based upon the decision of the Director of Adult Education.

## **POSTING CONTENT TO SOCIAL MEDIA SITES**

When posting content to any social media site, students who identify themselves as LCCTC adult education students should not represent that they are speaking on LCCTC's behalf. Students are strongly encouraged to refrain from making disparaging, harassing, or threatening comments regarding LCCTC, its students/faculty/staff, and clinical/externship sites. Inaccurate, inappropriate, threatening, or harassing postings that substantially disrupt LCCTC's educational environment may result in disciplinary

action being taken against students, including but not limited to removal from the program. Postings that attempt to describe any patient and/or patient care situation at clinical/externship sites, directly or indirectly, will be considered a violation of patient confidentiality and result in the dismissal from the program. If you have any doubt whether a potential subject of a social media post is permissible, check with your instructor first before posting.

. The LCCTC is a public school and the following articles of clothing will NOT be permitted:

## RULES AND REGULATIONS

To maintain a safe and effective learning environment for all, staff and students are expected to follow the rules and regulations listed below.

1. If you will be late for class text the Director (business card is in your black binder)
2. Be prepared for the elements, heat, cold, rain, wind.
3. You MUST have your DL, permit, DOT Medical Card, and log book with you at all times. If you forget any of these items, you will not be allowed to drive the truck on that day.
4. No baggie clothes that can get caught on equipment.
5. No open-toed shoes, sandals, or Crocs
6. No offensive clothing. This includes, but is not limited to: graphics, statements, or what is displayed, or what is being revealed.
7. Students must knock and wait before entering the instructor's office. Please allow each instructor their required breaks and lunches.

7. NO cell phone use/texting while walking across the parking lot, NO cell phone use while inside the truck while the truck is in motion. Cell phones MUST be on silent or vibrate while in the classroom. If you need to take/make a call, please excuse yourself without disrupting the class.
8. **PA State Law; Title 18 §6306.1 Use of tobacco products in schools prohibited.**
  - a. Smoking/vaping/chewing on the school property is prohibited
  - b. Smoking/vaping/chewing in the trucks is prohibited
9. **PA State Law; Title 18 §912 Possession of weapon on school property is prohibited**
10. No fraternizing or interacting with LCCTC high school students.
11. NO HORSE PLAY, PUSHING, SHOIVING, NAME CALLING ALLOWED.
12. Please do not leave any trash lying around, dispose it in the trash can.
13. Do not stand in front of or behind a vehicle when it is being started or moving.
14. Do not move a vehicle unless an instructor instructs you to.
15. Students are not allowed in any vehicle during breaks or lunch.
16. Do not enter truck if hands/gloves are full of grease.
17. Do not jump out of the vehicles or off the trailer.
18. No video or voice recording without the consent of the Director



19. No publishing of anything on social media: i.e. Facebook, Twitter, YouTube.
20. If instructor removes you from the seat, please comply.
21. The Director of Driver Training has an open-door policy. Please feel free to express any concerns to the Director.

## **FORMAL COMPLAINT PROCEDURE**

See the Adult Education Catalog for details on the Formal Complaint Procedure. The Adult Catalog is available for review in the CDL office or can be accessed online at [www.lancasterctc.edu](http://www.lancasterctc.edu).

## **CDL THIRD-PARTY TESTING FOR STUDENTS**

Students are required to provide three days (72 hours) prior notice to cancel or reschedule any CDL Skills test. If you cancel or reschedule less than three days (72 hours) prior to a CDL Skills, you will forfeit the test fee.

ANY LCCTC CDL STUDENT THAT DOES NOT show up for their CDL Skills two (2) consecutive times or does not cancel within seventy-two hours of test day will NOT be eligible for future CDL testing at LCCTC.

## TUITION REFUND SCHEDULE

Students withdrawing from a full-time program after the first day of class are eligible for partial tuition refunds as follows:

Withdrawal during the first 7 calendar days of the term	- 75%
Withdrawal after the first 7 calendar days but within the first 25% of the term	- 55%
Withdrawal after 25% but within 50% of the term	- 30%
Withdrawal after 50% of the term	- no refund

Students withdrawing from a short-term program after the first day of class are eligible for partial tuition refunds as follows:

Withdrawal within the first 25% of the term	- 55%
Withdrawal after 25% but within 50% of the term	- 30%
Withdrawal after 50% of the term	- no refund

Refunds will be made on tuition charges for each Payment Period once a student is determined to be withdrawn from training from the Lancaster County Career & Technology Center. Tuition refunds will be calculated using the student's actual last day of attendance. Refunds of tuition, if due, shall be made within 30 days of the student's last day of attendance.

The Lancaster County Career & Technology Center reserves the right to refuse to issue grades, transcript records, program completion certificate as well as deny registration or readmission to students who owe money to the school.

## **ADA/EOE/Nondiscrimination Information**

Lancaster County Career & Technology Center is an equal opportunity education institution and will not discriminate in employment, education programs, or activities on the basis of race, color religion, ancestry, national origin sex, sexual orientation, age or disability in its program or activities and provides equal access to the Boy Scouts and other designed youth groups. This policy of nondiscrimination extends to all other legally protected classifications under state and federal laws.

For information regarding the Americans with Disabilities Act (ADA), the rights of an individual with a disability, our obligations under ADA or grievance procedures, contact the Business Manager and ADA Coordinator, 1730 Hans Herr Drive, PO Box 527, Willow Street PA 17584-0527. Telephone: 717-464-7050.

For inquiries regarding other nondiscriminatory policies and programs, or for information regarding services, activities, programs and facilities that are accessible to and usable by both disabled persons and national origin minority persons who lack English language skills, contact the Supervisor of Student Services and Coordinator for Title VI, Title IX and Section 504, 1730 Hans Herr Drive, PO Box 527, Willow Street, PA 17584. Telephone: 717-208-3124.

## LCCTC DOT Drug and Alcohol Policy

### Policy

Lancaster County Career and Technology Center (LCCTC, or the school) is dedicated to the health and safety of our employees and student drivers. Drug and/or alcohol use may pose a serious threat to health and safety. Therefore, it is the policy of LCCTC to prevent the use of drugs and abuse of alcohol from having an adverse effect on our employees and student drivers.

The serious impact of drug use and alcohol abuse has been recognized by the federal government. The Federal Motor Carrier Safety Administration (FMCSA) has issued regulations which require the company to implement an alcohol and controlled substances testing program.

The purpose of the FMCSA-issued regulations is to establish programs designed to help prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances by employees and student drivers of commercial motor vehicles.

LCCTC will comply with these regulations and is committed to maintaining a drug-free workplace.

It is the policy of LCCTC that the use, sale, purchase, transfer, possession, or presence in one's system of any controlled substance (except medically prescribed drugs) by any employee or student driver while on the company premises, engaged in school activities, operating school equipment, or while under the authority of LCCTC is strictly prohibited. Disciplinary action will be taken as necessary.

Neither this policy nor any of its terms are intended to create a contract of employment or contain the terms of any contract of

employment. LCCTC retains the sole right to change, amend, or modify any term or provision of this policy without notice. This policy is effective July 1, 2022 and will supersede all prior policies and statements relating to alcohol or drugs.

### Responsibility

In accordance with 49 CFR §382.601(a), each employer/school shall provide educational materials that explain the requirements in Part 382 and the employer/school's policies and procedures with respect to meeting these requirements. The employer/school shall ensure that a copy of these materials is distributed to each employee or student driver prior to the start of alcohol and controlled substances testing under this part and to each employee or student driver subsequently hired, transferred, or enrolled into a safety-sensitive function position (i.e., operating a commercial motor vehicle as defined in §382.107 requiring a CDL).

Each employee or student driver hired, transferring or enrolled into a safety-sensitive function is responsible for reviewing the content of the information presented to employees and student drivers. Each employee or student driver is responsible for asking questions about the procedures if the content is unclear to him/her. Employees or student drivers may pose follow-up questions about the content of this policy and procedures to the Program Director, Driver Training & Licensing Center.

### Drugs and Alcohol Procedures

#### ***Regulatory Requirements***

All employees and student drivers who operate commercial motor vehicles that require a commercial driver's license under 49 CFR Part 383 are subject to the FMCSA's drug and alcohol regulations, 49 CFR Part 382.

### ***Non-Regulatory Requirements***

The Federal Motor Carrier Safety Regulations (FMCSRs) set the minimum requirements for testing. The school's policy in certain instances may be more stringent. This policy will clearly define what is mandated by the FMCSRs and what the school's procedure is.

### ***Who is Responsible***

It is the school's responsibility to provide testing for the employee or student driver that is in compliance with all federal and state laws and regulations, and within the provisions of this policy. The school will retain all records related to testing and the testing process in a secure and confidential matter.

LCCTC's alcohol and drug program administrator who is designated to monitor, facilitate, and answer questions pertaining to these procedures is:

Compliance Navigation Specialists (CNS)  
151 Koser Rd,  
Lititz, PA 17543  
(888) 260-9448

The employee or student driver is responsible for complying with the requirements set forth in this policy. The employee or student driver will not use, have possession of, abuse, or have the presence of alcohol or any controlled substance in excess of regulation-established threshold levels while on duty. The employee or student driver will not use alcohol within 4 hours of performing a "safety-sensitive" function, while performing a "safety-sensitive" function, or immediately after performing a "safety-sensitive" function. The employee or student driver must submit to alcohol and controlled substances tests administered under Part 382.

All supervisors must make every effort to be aware of an employee or student driver's condition at all times the employee or student driver is in service of the school. The supervisor must be able to make reasonable suspicion observations to determine if the employee or student driver is impaired in some way and be prepared to implement the requirements of this policy if necessary.

## Definitions

When implementing and interpreting the drug and alcohol policies and procedures required by the FMCSA, as well as the policies and procedures required by the school, the following definitions apply:

*Actual knowledge* means actual knowledge by an employer/instructor that an employee or student driver has used alcohol or controlled substances based on the employer's direct observation of the employee or student driver, information provided by the employee or student driver 's previous employer(s), a traffic citation for driving a CMV while under the influence of alcohol or a controlled substance, or an employee or student driver 's admission of alcohol or controlled substance use under the provisions of Sec. 382.121. Direct observation as used in this definition means observation of alcohol or controlled substance use and does not include observation of employee or student driver behavior or physical characteristics sufficient to warrant reasonable suspicion testing under Sec. 382.307.

*Adulterated specimen* means a specimen that has been altered, as evidenced by test results showing either a substance that is not a normal constituent for that type of specimen or showing an abnormal concentration of an endogenous substance.

*Alcohol* means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.

*Alcohol concentration* (or content) means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test.

*Alcohol screening device* (ASD) means 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* means the consumption of any beverage, liquid mixture, or preparation, including any medication, containing alcohol.

*Aliquot* means a fractional part of a specimen used for testing. It is taken as a sample representing the whole specimen.

*Breath Alcohol Technician* (or BAT) means an individual who instructs and assists individuals in the alcohol testing process, and operates an evidential breath testing device (EBT).

*Behind-The-Wheel Time* is actual time sitting in the driver's seat being instructed, on the road or on the range.

*Behind-The-Wheel Training* (or BTW) means any time spent sitting in the driver's seat of a training vehicle being instructed or observing another student in the driver's seat being instructed, on the road or on the range.

*Collection site* means a place designated by LCCTC, where individuals present themselves for the purpose of providing a urine specimen for a drug test.



*Commercial motor vehicle* means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

- Has a gross combination weight rating of 26,001 or more pounds (11,794 or more kilograms) inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds (4,536 kilograms); or
- Has a gross vehicle weight rating of 11,794 or more kilograms (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 materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR Part 172, subpart F).

*Confirmatory drug test* means a second analytical procedure performed on a different aliquot of the original specimen to identify and quantify the presence of a specific drug or drug metabolite.

*Confirmatory validity test* means a second test performed on a different aliquot of the original urine specimen to further support a validity test result.

*Consortium/Third-party administrator (C/TPA)* is a service agent that provides or coordinates the provision of a variety of drug and alcohol testing services for the school. C/TPAs typically perform administrative tasks concerning the operation of the company's drug and alcohol testing programs. This term includes, but is not limited to, groups of employers who join together to administer, as a single entity, the DOT drug and

alcohol testing programs of its members. C/TPAs are not “employers.”

*Controlled substances* mean those substances identified in 49 CFR, Section 40.85. In accordance with FMCSA rules, urinalyses will be conducted to detect the presence of the following substances:

- Marijuana
- Cocaine
- Opioids
- Amphetamines
- Phencyclidine (PCP).

Detection levels requiring a determination of a positive result shall be in accordance with the guidelines adopted by the FMCSA in accordance with the requirements established in 49 CFR, Section 40.87.

*Designated employer representative (DER)* is an individual identified by the school as able to receive communications and test results from service agents and who is authorized to take immediate actions to remove employees or student drivers from safety-sensitive duties and to make required decisions in the testing and evaluation processes. The individual must be an employee of the school. Service agents cannot serve as DERs.

*Dilute specimen* means a urine specimen with creatinine and specific gravity values that are lower than expected for human urine.

*Direct observation* means the observer must request the employee or student driver to raise his or her shirt, blouse, or dress/skirt, as appropriate, above the waist; and lower clothing and underpants to show, by turning around, that he/she does not have a prosthetic device. After observer has determined that

the employee does not have such a device, he/she may permit the employee to return clothing to its proper position for observed urination.

*Disabling damage* means damage that precludes departure of a motor vehicle from the scene of the accident in its usual manner in daylight after simple repairs.

1. *Inclusions.* Damage to motor vehicles that could have been driven, but would have been further damaged if so driven.
2. *Exclusions.*
  - a. Damage which can be remedied temporarily at the scene of the accident without special tools or parts.
  - b. Tire disablement without other damage even if no spare tire is available.
  - c. Headlight or taillight damage.
  - d. Damage to turn signals, horn, or windshield wipers which make them inoperative.

*Driver* means any person who operates a commercial motor vehicle. This includes, but is not limited to: full time, regularly employed drivers; casual, intermittent or occasional drivers; leased drivers and independent, owner-operator contractors who are either directly employed by or under lease to an employer or who operates a commercial motor vehicle at the direction of or with the consent of an employer.

*Drug* means any substance (other than alcohol) that is a controlled substance as defined in this policy and 49 CFR Part 40.

*Employee* means an individual who possesses a valid CDL license, is employed by the LCCTC and operates a commercial motor vehicle as part of his/her job duties or performs a safety sensitive function.

*Evidential breath testing device (EBT)* means a device approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath at the 0.02 and 0.04 alcohol concentrations, placed on NHTSA's Conforming Products List (CPL) for "Evidential Breath Measurement Devices" and identified on the CPL as conforming with the model specifications available from NHTSA's Traffic Safety Program.

*FMCSA* means Federal Motor Carrier Safety Administration, U.S. Department of Transportation.

*Initial drug test* (also known as a "Screening drug test") means the test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

*Initial specimen validity test* means the first test used to determine if a urine specimen is adulterated, diluted, substituted, or invalid.

*Invalid drug test* means the result reported by an HHS-certified laboratory in accordance with the criteria established by HHS Mandatory Guidelines when a positive, negative, adulterated, or substituted result cannot be established for a specific drug or specimen validity test.

*Laboratory* means any U.S. laboratory certified by HHS under the National Laboratory Certification Program as meeting the minimum standards of Subpart C of the HHS Mandatory Guidelines for Federal Workplace Drug Testing Programs; or, in the case of foreign laboratories, a laboratory approved for participation by DOT under Part 40.

*Licensed medical practitioner* means a person who is licensed, certified, and/or registered, in accordance with applicable

federal, state, local, or foreign laws and regulations, to prescribe controlled substances and other drugs.

*Medical Review Officer (MRO)* is a person who is a licensed physician (Doctor of Medicine or Osteopathy) and who is responsible for receiving and reviewing laboratory results generated by the school's drug testing program and evaluating medical explanations for certain drug test results.

*Negative result* means the result reported by an HHS-certified laboratory to an MRO when a specimen contains no drug, or the concentration of the drug is less than the cutoff concentration for the drug or drug class and the specimen is a valid specimen.

*Non-negative specimen* means a urine specimen that is reported as adulterated, substituted, positive (for drug(s) or drug metabolite(s)), and/or invalid.

*Oxidizing adulterant* means a substance that acts alone or in combination with other substances to oxidize drugs or drug metabolites to prevent the detection of the drug or drug metabolites, or affects the reagents in either the initial or confirmatory drug test.

*Performing (a safety-sensitive function)* means an employee or student driver is considered to be performing a safety-sensitive function during any period in which he or she is actually performing, ready to perform, or immediately available to perform any safety-sensitive functions.

*Positive result* means the result reported by an HHS-certified laboratory when a specimen contains a drug or drug metabolite equal to or greater than the cutoff concentrations.

*Prescription medications* means the use (by a driver) of legally prescribed medications issued by a licensed health care

professional familiar with the driver's work-related responsibilities.

*Refuse to submit* (to an alcohol or controlled substances test) means that a driver:

1. Fails to appear for any test (except pre-employment) within a reasonable time, as determined by the school, consistent with applicable DOT regulations, after being directed to do so by the school. This includes the failure of an employee or student driver (including an owner-operator) to appear for a test when called by a C/TPA;
2. Fails to remain at the testing site until the testing is complete (except pre-employment if the employee or student driver leaves before the testing process begins);
3. Fails to provide a urine specimen for any DOT required drug test (except pre-employment if the employee or student driver leaves before the testing process begins);
4. In the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of the driver's provision of the specimen;
5. Fails to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;
6. Fails or declines to take a second test the school or collector has directed the employee or student driver to take;
7. Fails to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER (In the case of a pre-employment drug test, the employee is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment);

8. Fails to cooperate with any part of the testing process (e.g., refuse to empty pockets when directed by the collector, behave in a confrontational way that disrupts the collection process, fail to wash hands after being directed to do so by the collector).
9. For an observed collection, fails to follow the observer's instructions to raise his/her clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if he/she has any type of prosthetic or other device that could be used to interfere with the collection process.
10. Possesses or wears a prosthetic or other device that could be used to interfere with the collection process.
11. Admits to the collector or MRO that he/she adulterated or substituted the specimen.
12. Is reported by the MRO as having a verified adulterated or substituted test result.

*Safety-sensitive function* means all time from the time an employee or student driver begins to work or is required to be in readiness to work or begins class until the time he/she is relieved from work or class and all responsibility for performing work.

Safety-sensitive functions include:

- All time in class/BTW (on scheduled class days) or on any public road/property while in a school vehicle training, until the student driver has been relieved from duty by the school/instructor;
- All time inspecting equipment as required by Secs. 392.7 and 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 spent resting in a sleeper berth (a berth conforming to the requirements of Sec. 393.76);
- All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the 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 vehicle.

*Screening test technician (STT)* is a person who instructs and assists employees in the alcohol testing process and operates an alcohol screening device (ASD).

*Split specimen collection* means a collection in which the urine collected is divided into two separate specimen bottles, the primary specimen (Bottle A) and the split specimen (Bottle B).

*Stand-down* means the practice of temporarily removing an employee or student driver from the performance of safety-sensitive functions based only on a report from a laboratory to the 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.

*Student Driver* means a person applying for admission, or who is already admitted, as a student who will operate a CMV in LCCTC's CDL program. The term also includes a student who successfully completed LCCTC's CDL program in the preceding six months and operates a LCCTC commercial motor vehicle as part of a refresher course.

*Substance abuse professional (SAP)* is a person who evaluates employees who have violated a DOT drug and alcohol regulation



and makes recommendations concerning education, treatment, follow-up testing, and aftercare. A SAP must be:

- A licensed physician (Doctor of Medicine or Osteopathy);
- A licensed or certified social worker;
- A licensed or certified psychologist;
- A licensed or certified employee assistance professional; or
- A drug and alcohol counselor certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission (NAADAC) or by the International Certification Reciprocity Consortium/Alcohol and Other Drug Abuse (ICRC), or by the National Board for Certified Counselors, Inc and Affiliates/Master Addictions Counselor (NBCC).

*Substituted specimen* means a urine specimen with creatinine and specific gravity values that are so diminished or so divergent that they are not consistent with normal human urine.

## Alcohol Prohibitions

Part 382, Subpart B, prohibits any alcohol misuse that could affect performance of safety-sensitive functions.

This alcohol prohibition includes:

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

NOTE: Per FMCSA regulation (Sec. 382.505), a driver found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall not perform, nor be permitted to perform, safety-sensitive functions until the start of the driver's next regularly scheduled duty period, but not less than 24 hours following administration of the test.

Possession/consumption/distribution of alcohol is prohibited under LCCTC policy section 227.

### Drug Prohibitions

Part 382, Subpart B, prohibits any drug use that could affect the performance of safety-sensitive functions. This drug prohibition includes:

- Use of any drug, except when administered to an employee or student driver by, or under the instructions of, a licensed medical practitioner, who has advised the employee or student driver that the substance will not affect the employee or student driver's ability to safely operate a commercial motor vehicle. (The use of marijuana or the use of any *Schedule I* drug under state law is not a legitimate medical explanation. Under federal law, the use of marijuana or any *Schedule I* drug does not have a legitimate medical use in the United States.);
- Testing positive for drugs; or
- Refusing to take a required test.

Possession/consumption/distribution of any illegal drug is prohibited under LCCTC policy section 227.

All employee and student drivers will inform the CDL Program Director of any therapeutic drug use prior to performing a safety-sensitive function. He/she may be required to present written evidence from a health care professional which describes the

effects such medications may have on the employee or student driver's ability to perform his/her tasks.

### Conditions for Employment/Enrollment

An employee or student driver applicant who has refused a drug or alcohol test, failed a random, reasonable suspicion, post-accident, return-to-duty, follow-up alcohol test, or tested positive for controlled substances will not be considered for employment/enrollment.

An employee or student driver applicant who has tested positive for drugs during a DOT pre-employment test will not be considered for employment/enrollment.

### Circumstances for Testing

#### ***Pre-employment §382.301***

In accordance with §382.301, all employee or student driver applicants will be required to submit to and pass a urine drug test as a condition of employment/enrollment.

Each employee or student driver applicant will be asked whether he/she has tested positive, or refused to test, on any DOT pre-employment drug test administered by an employer to which the employee or student driver applicant applied for, but did not obtain, safety-sensitive transportation work during the past 2 years.

If the employee or student driver applicant admits that he/she has tested positive, or refused to test, on any DOT pre-employment test, the employee or student driver applicant may not perform any safety-sensitive functions for the company until and unless the driver applicant documents successful completion of the return-to-duty process.

Employee or student driver applicant drug testing shall follow the collection, chain-of-custody, and reporting procedures set forth in 49 CFR Part 40.

An employee of LCCTC transferring to a safety-sensitive driving position is also subject to and must pass a urine drug test as a condition of the transfer.

If the employee transferring into a safety-sensitive function does not pass his/her DOT pre-employment drug screen, he/she will no longer be considered for position they are applying for.

***Reasonable Suspicion Testing (Sec. 382.307)***

If the employee supervisor or student driver's instructor or another school official designated to supervise an employee or student driver believes an employee or student driver is under the influence of alcohol or drugs, the employee or student driver will be required to undergo a drug and/or alcohol test.

The basis for this decision will be specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the employee or student driver.

The employee or student driver's supervisor or another school official will immediately remove the employee or student driver from any and all safety-sensitive functions and take the employee or student driver or make arrangements for the employee or student driver to be taken to a testing facility.

The person who makes the determination that reasonable suspicion exists to conduct an alcohol test may not administer the alcohol test. Per FMCSA regulation, reasonable suspicion alcohol testing is only authorized if the observations are made during, just preceding, or after the employee or student driver is performing a safety-sensitive function.

Per FMCSA regulation, if the employee or student driver tests 0.02 or greater, but less than 0.04, for alcohol the employee or student driver will be removed from all safety-sensitive functions, including driving a commercial motor vehicle, until the start of the employee or student driver's next regularly scheduled duty period or class, but not less than 24 hours following administration of the test.

If an alcohol test is not administered within two hours following a reasonable suspicion determination, the program administrator will prepare and maintain a record stating the reasons why the test was not administered within 2 hours.

If the test was not administered within 8 hours after a reasonable suspicion determination, all attempts to administer the test shall cease. A record of why the test was not administered must be prepared and maintained.

A written record of the observations leading to an alcohol or controlled substance reasonable suspicion test, signed by the supervisor or school official who made the observation, will be completed within 24 hours of the observed behavior or before the results of the alcohol or controlled substances test are released, whichever is first.

An employee or student driver awaiting the results of a reasonable suspicion drug test will be: in the case of an employee, placed on administrative leave. In the case of a student driver, withdrawn from class. Once a negative result, from the original reasonable suspicion drug test, is received, the employee or student driver can return to performing a safety sensitive function.

### ***Post-Accident Testing (Sec. 382.303)***

Employee or student drivers are to notify the CDL Program Director as soon as possible if they are involved in an accident.

According to FMCSA regulations (Sec. 382.303), if the accident involved the following, the employee or student driver will be tested for drugs and alcohol as soon as possible following the accident:

- A fatality,
- Bodily injury with immediate medical treatment away from the scene and the employee or student driver received a citation, or
- Disabling damage to any motor vehicle requiring tow away and the driver received a citation

The employee or student driver must remain readily available for testing. If the employee or student driver isn't readily available for alcohol and drug testing, he/she may be deemed as refusing to submit to testing. An employee or student driver involved in an accident may not consume alcohol for 8 hours or until testing is completed

If the alcohol test is not administered within 2 hours following the accident CDL Program Director will prepare a report and maintain a record stating why the test was not administered within two hours.

If the alcohol test is not administered within 8 hours following the accident, all attempts to administer the test will cease. A report and record of why the test was not administered will be prepared and maintained.

The drug test must be administered within 32 hours of the accident. If the test could not be administered within 32 hours, all attempts to test the driver will cease.

The CDL Program Director will prepare and maintain a record stating the reasons why the test was not administered within the allotted time frame.

### ***Random Testing (Sec. 382.305)***

LCCTC will conduct random testing for all employees that perform a safety sensitive function, (student drivers do not participate in the random pool) as follows.

LCCTC will use a school-wide selection process based on a scientifically valid method, prescribed by FMCSA regulations.

LCCTC will use a consortium. The consortium will use a selection process based on a scientifically valid method, prescribed by FMCSA regulations.

CNS will administer the random testing program, maintaining all pertinent records on random tests administered.

At least 10 percent of the consortium's average number of employee positions will be tested for alcohol each year. At least 50 percent of the consortium's average number of driver positions will be tested for drugs each year.

The random testing will be spread reasonably throughout the calendar year. All random alcohol and drug tests will be unannounced, with each employee having an equal chance of being tested each time selections are made.

An employee may only be tested for alcohol while he/she is performing a safety-sensitive function, just before performing a safety-sensitive function, or just after completing a safety-sensitive function.

Once notified that he/she has been randomly selected for testing, the employee must proceed immediately to the assigned collection site.

### ***Return-to-Duty Testing (Sec. 382.309)***

After failing an alcohol test, an employee must undergo a return-to-duty test prior to performing a safety-sensitive function. The test result must indicate a breath alcohol concentration of less than 0.02.

After testing positive for a controlled substance, an employee must undergo a return-to-duty test *under direct observation* prior to performing a safety-sensitive function. The test must indicate a verified negative result for drug use.

### ***Follow-Up Testing (Sec. 382.311)***

Following the employee or student driver's violation of Part 382, Subpart B, the driver will be subject to follow-up testing. Follow-up testing will be unannounced. The number and frequency of such follow-up testing will be directed by the SAP, and consist of at least six tests in the first 12 months. Follow-up testing may be done for up to 60 months. Follow-up drug tests must be conducted *under direct observation*.

### **Refusal to Submit**

According to Sec. 382.211, an employee or student driver may not refuse to submit to a post-accident, random, reasonable suspicion, or follow-up alcohol or controlled substances test required by the regulations. An employee or student driver who refuses to submit to such tests may not perform or continue to perform safety-sensitive functions and must be evaluated by a substance abuse professional as if the employee or student driver tested positive for drugs or failed an alcohol test.



Refusal to submit includes failing to provide adequate breath or urine sample for alcohol or drug testing and any conduct that obstructs the testing process. This includes adulteration or substitution of a urine sample.

### Dilute Specimens

If the MRO informs the company that a positive drug test was dilute, LCCTC will simply treat the test as a verified positive test. The school will not direct the employee or student driver to take another test based on the fact that the specimen was dilute. This is in accordance with §40.197.

If the MRO directs the school to conduct a recollection under direct observation (i.e., because the creatinine concentration of the specimen was equal to or greater than 2mg/dL, but less than or equal to 5 mg/dL (see §40.155(c)), LCCTC will do so *immediately*.

The following provisions apply to all tests that LCCTC sends the employee or student driver for under the directive of the MRO:

- The employee or student driver is given the minimum possible advance notice that he or she must go to the collection site;
- The result of the retest taken under §40.197(b), and not a prior test, is accepted as the test result of record;
- If the result of the retest taken under §40.197(b) is also negative and dilute, LCCTC will not make the employee or student driver take an additional test because the result was dilute. Provided, however, that if the MRO directs LCCTC to conduct a recollection under direct observation under §40.197(b)(1), the company must immediately do so.
- If the employee or student driver declines to take a test as directed in accordance with §40.197(b), the employee or

student driver has refused the test for purposes of Part 40 and DOT agency regulations.

If the creatinine concentration of the dilute specimen is greater than 5 mg/dL, LCCTC has elected to include the optional retest provision in its company policy. LCCTC will direct the employee or student driver to take another test immediately under school policy in accordance with §40.197. Such recollections will not be collected under direct observation, unless there is another basis for use of direct observation (see § 40.67 (b) and (c)).

The following provisions apply to all retests that LCCTC sends the employee or student driver for under school policy:

- The employee or student driver is given the minimum possible advance notice that he or she must go to the collection site;
- The result of the retest taken under §40.197(b), and not a prior test, is accepted as the test result of record;
- If the result of the retest taken under §40.197(b) is also negative and dilute, LCCTC will not make the employee or student driver take an additional test because the result was dilute. Provided, however, that if the MRO directs LCCTC to conduct a recollection under direct observation under §40.197(b)(1), the school must immediately do so.
- If the employee or student driver declines to take a test as directed in accordance with §40.197(b), the employee has refused the test for purposes of Part 40 and DOT agency regulations.

### Invalid Results

When the laboratory reports that the test result is an invalid result, the MRO must:

- Contact the employee or student driver and inform him or her that the specimen was invalid. In contacting the

employee or student driver, he/she uses the procedures set forth in §40.131.

- After explaining the limits of disclosure (see §§40.135(d) and 40.327), the MRO must determine if the employee or student driver has a medical explanation for the invalid result. He/she must inquire about the medications the employee may have taken.
- If the employee or student driver gives an explanation that is acceptable, the MRO must:
- Place a check mark in the “Test Cancelled” box (Step 6) on Copy 2 of the CCF and enter “Invalid Result” and “direct observation collection not required” on the “Remarks” line.
- Report to the DER that the test is cancelled, the reason for cancellation, and that no further action is required unless a negative test result is required (i.e., pre-employment, return-to-duty, or follow-up tests). If a negative test result is required and the medical explanation concerns a situation in which the employee or student driver has a permanent or long-term medical condition that precludes him or her from providing a valid specimen, the MRO must follow the procedures outlined at §40.160 for determining if there is clinical evidence that the individual is an illicit drug user.
- If the medical evaluation reveals no clinical evidence of drug use, the MRO must report this to the school as a negative test result with written notations regarding the medical examination. The report must also state why the medical examination was required (i.e., either the basis for the determination that a permanent or long-term medical condition exists or because the recollection under direct observation resulted in another invalid for the same reason, as appropriate) and for the determination that no signs and symptoms of drug use exist.

- If the medical evaluation reveals clinical evidence of drug use, the MRO must report the result to the school as a cancelled test with written notations regarding the results of the medical examination. The report must also state why the medical examination was required (i.e., either the basis for the determination that a permanent or long-term medical condition exists or because the recollection under direct observation resulted in another invalid result for the same reason, as appropriate) and state the reason for the determination that signs and symptoms of drug use exist. Because this is a cancelled test, it does not serve the purpose of an actual negative test result (*i.e., the school is not authorized to allow the employee or student driver to begin or resume performing safety-sensitive functions because a negative test result is needed for that purpose*).

If the employee or student driver does not give a reasonable explanation, the MRO:

- Places a check mark in the “Test Cancelled” and enters “Invalid Result” and “direct observation collection required” on the “Remarks” line.
- Reports to the DER that the test is cancelled, the reason for cancellation, and that a second collection must take place immediately under direct observation.
- Instructs the school to ensure that the employee or student driver has the minimum possible advance notice that he or she must go to the collection site.

If the employee or student driver admits to the MRO that he or she tampered with the specimen, the result is reported as a refusal to be tested.

If the employee or student driver admits to the MRO that he or she used drugs, the test is cancelled with the reason noted (invalid) and the DER is notified of the admission. The DER has

actual knowledge of a violation, and the occurrence is treated the same as a positive result.

When the test result is invalid because pH is greater than or equal to 9.0 but less than or equal to 9.5 and the employee or student driver has no other medical explanation for the pH, the MRO should consider whether there is evidence of elapsed time and increased temperature that could account for the pH value. The MRO:

- Is authorized to consider the temperature conditions that were likely to have existed between the time of collection and transportation of the specimen to the laboratory, and the length of time between the specimen collection, and arrival at the laboratory.
- May talk with the collection site and laboratory to discuss time and temperature issues, including any pertinent information regarding specimen storage.

If the MRO determines that time and temperature:

- Account for the pH value, he or she must cancel the test and take no further action.
- Fail to account for the pH value, he or she must cancel the test and direct another collection under direct observation, as provided at paragraph §40.159(a)(5).

### Alcohol Testing Procedures (Employees only)

Alcohol testing will be conducted at LCCTC by a qualified breath alcohol technician (BAT) or screening test technician (STT), according to 49 CFR Part 40 procedures. Only products on the conforming products list (approved by the National Highway Traffic Safety Administration (NHTSA)) and Part 40 requirements will be utilized for testing under this policy.

The testing will be performed in a private setting. Only authorized personnel will have access, and are the only individuals who can see or hear the test results.

When the employee arrives at the testing site, the BAT or STT will ask for identification.

The employee may ask the BAT or STT for identification.

The BAT or STT will then explain the testing procedure to the employee. The BAT or STT may only supervise one test at a time, and may not leave the testing site while the test is in progress.

A screening test is performed first. When a breath testing device is used, the mouthpiece of the breath testing device must be sealed before use, and opened in the driver's presence. Then the mouthpiece is inserted into the breath testing device.

The employee must blow forcefully into the mouthpiece of the testing device for at least 6 seconds or until an adequate amount of breath has been obtained.

Once the test is completed, the BAT must show the employee the results. The results may be printed on a form generated by the breath testing device or may be displayed on the breath testing device. If the breath testing device does not print results and test information, the BAT is to record the displayed result, test number, testing device, serial number of the testing device, and time on the alcohol testing form. If the breath testing device prints results, but not directly onto the form, the BAT must affix the printout to the alcohol testing form in the designated space.

When an alcohol screening device (ASD) is used, the screening test technician (STT) must check the device's expiration date and show it to the employee. A device may not be used after its expiration date.

The STT will open an individually wrapped or sealed package containing the device in front of the employee and he/she will be asked to place the device in his/her mouth and use it in the manner described by the device's manufacturer.

If the employee declines to use the device, or in a case where the device doesn't activate, the STT must insert the device in the employee's mouth and use it in the manner described by the device's manufacturer. The STT must wear single-use examination gloves and must change the gloves following each test.

When the device is removed from the employee's mouth, the STT must follow the manufacturer's instructions to ensure the device is activated.

If the procedures listed above can't be successfully completed, the device must be discarded and a new test must be conducted using a new device. Again, the employee will be offered the choice of using the new device or having the STT use the device for the test.

If the new test can't be successfully completed, the employee will be directed to immediately take a screening test using an evidential breath testing device (EBT).

The result displayed on the device must be read within 15 minutes of the test. The STT must show the employee the device and its reading and enter the result on the ATF.

If the reading on the EBT or ASD is less than 0.02, both the employee and the BAT or STT must sign and date the result form. The form will then be confidentially forwarded to the company's designated employer representative (DER).

If the reading on the EBT or ASD is 0.02 or more, a confirmation test must be performed. An EBT must be used for all confirmation tests.

The test must be performed after 15 minutes have elapsed, but within 30 minutes of the first test. The BAT will ask the employee not to eat, drink, belch, or put anything into his/her mouth. These steps are intended to prevent the buildup of mouth alcohol, which could lead to an artificially high result.

A new, sealed mouthpiece must be used for the new test. The calibration of the EBT must be checked. All of this must be done in the employee's presence.

If the results of the confirmation test and screening test are not the same, the confirmation test will be used.

Refusal to complete and sign the alcohol testing form or refusal to provide breath or saliva will be considered a failed test, and the employee will be removed from all safety-sensitive functions until the matter is resolved.

## Drug Testing Procedures

Drug testing will be conducted at CNS. Specimen collection will be conducted in accordance with 49 CFR Part 40 and any applicable state law. The collection procedures have been designed to ensure the security and integrity of the specimen provided by each employee or student driver. The procedures will strictly follow federal chain of custody guidelines.

A drug testing custody and control form (CCF) will be used to document the chain of custody from the time the specimen is collected at the testing facility until it is tested at the laboratory.

A collection kit meeting the requirements of Part 40, Appendix A must be used for the drug test.



The collection of specimen must be conducted in a suitable location and must contain all necessary personnel, materials, equipment, facilities, and supervision to provide for collection, security, and temporary storage and transportation of the specimen to a certified laboratory.

When the employee or student driver arrives at the collection site, the collection site employee will ask for identification. The employee or student driver may ask the collection site person for identification.

The employee or student driver will be asked to remove all unnecessary outer garments (coat, jacket) and secure all personal belongings. The employee or student driver may keep his/her wallet.

The employee or student driver will then wash and dry his/her hands. After washing hands, the employee or student driver must remain in the presence of the collection site person and may not have access to fountains, faucets, soap dispensers, or other materials that could adulterate the specimen.

The collection site person will select, or allow the employee or student driver to select, an individually wrapped or sealed container from the collection kit materials. Either the collection site person or the employee or student driver, with both individuals present, must unwrap or break the seal of the collection container. The seal on the specimen bottle may not be broken at this time. Only the collection container may be taken into the room used for urination.

The employee or student driver is then instructed to provide his/her specimen in a room that allows for privacy.

The specimen must consist of at least 45 mL of urine. Within 4 minutes after obtaining the specimen, the collection site person will measure its temperature. The acceptable temperature range is 90 to 100 degrees Fahrenheit. If the specimen temperature is outside the acceptable range, the collector must note this on the CCF and must immediately conduct a new collection using direct observation procedures outlined in Sec. 40.67. Both specimens must be sent to the lab for testing. The collector must notify both the DER and collection site supervisor that the collection took place under direct observation and the reason for doing so.

The collection site person will also inspect the specimen for color and look for signs of contamination or tampering. If there are signs of contamination or tampering, the collector must immediately conduct a new collection using direct observation procedures outlined in Sec. 40.67. Both specimens must be sent to the lab for testing. The collector must notify both the DER and collection site supervisor that the collection took place under direct observation and the reason for doing so.

The 45mL sample provided must be split into a primary specimen of 30mL and a second specimen (used as the split) of 15mL. The collection site person must place and secure the lids on the bottles, place tamper-evident bottle seals over the lids and down the sides of the bottles and write the date on the tamper-evident seals. The employee or student driver then initials the tamper-evident bottle seals to certify that the bottles contain specimens he/she provided. All of this must be done in front of the driver.

All identifying information must be entered on the CCF by the collection site person.

The CCF must be signed by the collection site person, certifying collection was accomplished in accordance with the instructions

provided. The employee or student driver must also sign this form indicating the specimen was his/hers.

The collector is responsible for placing and securing the specimen bottles and a copy of the CCF into an appropriate pouch or plastic bag.

At this point, the employee or student driver may leave the collection site.

The collection site must forward the specimens to the lab as quickly as possible, within 24 hours or during the next business day.

### ***Laboratory Analysis***

As required by FMCSA regulations, only a laboratory certified by the Department of Health and Human Services (DHSS) to perform urinalysis for the presence of controlled substances will be retained by LCCTC. The laboratory will be required to maintain strict compliance with federally-approved chain-of-custody procedures, quality control, maintenance, and scientific analytical methodologies.

All specimens are required to undergo an initial screen followed by confirmation of all positive screen results.

### ***Results***

According to FMCSA regulation, the laboratory must report all test results directly to LCCTC's medical review officer (MRO). All test results must be transmitted to the MRO in a timely manner, preferably the same day that the review by the certifying scientist is completed. All results must be reported.

The MRO is responsible for reviewing and interpreting all confirmed positive, adulterated, substituted, or invalid drug test results. The MRO must determine whether alternate medical

explanations could account for the test results. The MRO must also give the employee or student driver who has a positive, adulterated, substituted, or invalid drug test an opportunity to discuss the results prior to making a final determination. After the decision is made, the MRO must notify the DER.

If the MRO, after making and documenting all reasonable efforts, is unable to contact a tested employee or student driver, the MRO shall contact the DER instructing him/her to contact the employee or student driver. The DER will arrange for the employee or student driver to contact the MRO before going on duty.

The MRO may verify a positive, adulterated, or substituted specimen without having communicated with the employee or student driver about the test results if:

- The employee or student driver expressly declines the opportunity to discuss the results of the test;
- Neither the MRO or DER has been able to make contact with the employee or student driver for 10 days; or
- Within 72 hours after a documented contact by the DER instructing the employee or student driver to contact the MRO, the employee or student driver has not done so.

The MRO may verify an invalid test result as cancelled (with instructions to recollect immediately under direct observation) without interviewing the employee or student driver, as provided at §40.159 if:

- The employee or student driver expressly declines the opportunity to discuss the test with the MRO;
- The DER has successfully made and documented a contact with the employee or student driver and instructed the employee or student driver to contact the MRO and more

than 72 hours have passed since the time the DER contacted the employee or student driver; or

- Neither the MRO nor the DER, after making and documenting all reasonable efforts, has been able to contact the employee or student driver within ten days of the date on which the MRO received the confirmed invalid test result from the laboratory.

### ***Split Sample***

As required by FMCSA regulations, the MRO must notify each employee or student driver who has a positive, adulterated, or substituted drug test result that he/she has 72 hours to request the test of the split specimen. If the employee or student driver requests the testing of the split, the MRO must direct (in writing) the lab to provide the split specimen to another certified laboratory for analysis. There is no split specimen testing for an invalid result. The school will pay for the testing of the split specimen.

If the analysis of the split specimen fails to reconfirm the results of the primary specimen, or if the split specimen is unavailable, inadequate for testing, or unstable, the MRO must cancel the test and report the cancellation and the reasons for it to the DER and the employee or student driver.

### ***Specimen Retention***

Long-term frozen storage will ensure that positive urine specimens will be available for any necessary retest. LCCTC's designated drug testing laboratory will retain all confirmed

positive specimens for at least 1 year in the original labeled specimen bottle.

### Confidentiality/Recordkeeping

All employee or student driver alcohol and controlled substance test records are considered confidential (Sec. 382.401). For the purpose of this policy/procedure, confidential recordkeeping is defined as records maintained in a secure manner, under lock and key, accessible only to the program administrator.

If the program administrator is unavailable, the administrative assistant will have access to the alcohol and controlled substance records.

Employee or student driver alcohol and controlled substance test records will only be released in the following situations:

- To the employee or student driver, upon his/her written request;
- Upon request of a DOT agency with regulatory authority over LCCTC;
- Upon request of state or local officials with regulatory authority over LCCTC;
- Upon request by the United States Secretary of Transportation;
- Upon request by the National Transportation Safety Board (NTSB) as part of an accident investigation;
- Upon request by subsequent employers upon receipt of a written request by a covered employee or student driver;
- In a lawsuit, grievance, or other proceeding if it was initiated by or on behalf of the complainant and arising from results of the tests; or
- Upon written consent by the employee or student driver authorizing the release to a specified individual.

All records will be retained for the time period required in Sec. 382.401.

## Driver Assistance

### ***Driver Education and Training (Sec. 382.601)***

All employees or student drivers will be given information regarding the requirements of Part 382 and this policy by the Program Director. All employee or student drivers will be given a copy of this document and/or a classroom presentation (student drivers only).

The classroom presentation will cover all required information in this document in accordance with Sec. 382.601.

### ***Supervisor Training***

According to FMCSA regulation, all employees of LCCTC designated to supervise employees or student drivers will receive training on this program. The training will include at least 60 minutes on alcohol misuse and 60 minutes on drug use. The training content will include the physical, behavioral, speech, and performance indicators of probable alcohol misuse and drug use. The training allows supervisors to determine reasonable suspicion that an employee or student driver is under the influence of alcohol or drugs.

### ***Referral, Evaluation, and Treatment (Sec. 382.605)***

According to FMCSA regulation, a list of substance abuse professionals will be provided to all employee or student drivers who fail an alcohol test or test positive for drugs.

The alcohol and drug program administrator will be responsible for designating the appropriate substance abuse professional (SAP) who, in conjunction with the employee or student driver's physician, will diagnose the problem and recommend treatment.

In the event an employee or student driver violates Part 382, LCCTC will identify (at that time of the violation) who they prefer to contract with for the SAP services.

The employee or student driver will pay for the evaluation by the SAP and any treatment required.

According to FMCSA regulations, prior to returning to duty or class for LCCTC, an employee or student driver must be evaluated by an SAP and must complete the treatment recommended by the SAP. Successful completion of a return-to-duty test and all follow-up tests is mandatory. Both return-to-duty tests and follow-up tests must be conducted under direct observation.

An employee who fails to complete an evaluation by the SAP, treatment recommended by the SAP, a return-to-duty test, or a follow-up test will be terminated. A student driver who fails to complete an evaluation by the SAP, treatment recommended by the SAP, a return-to-duty test, or a follow-up test will be withdrawn from class with no ability to reregister for future classes.

### Discipline

The school may not stand-down an employee or refuse enrolment to a student driver before the MRO has completed his/her verification process unless the school has applied for and has received an FMCSA-issued waiver.

According to FMCSA regulation, no person who has failed an alcohol or drug test, or refused to test, will be allowed to perform safety-sensitive functions until the referral, evaluation, and treatment requirements have been complied with. The following company disciplinary measures apply to all reasonable suspicion, post-accident, and random tests.



### ***Controlled Substance Positive Test Result***

Upon notification that an employee or student driver has a drug test result of positive, adulterated, or substituted, the employee or student driver will be given the option of requesting a test of the split sample within 72 hours. If the employee or student driver has requested a test of the split sample, the employee or student driver will be removed from any safety-sensitive function until the results of a split sample test are obtained.

If the employee doesn't request a split sample test or the split sample test confirms the initial positive, adulterated, or substituted drug test result, the employee will be removed from all safety-sensitive functions until further time when a review board (consisting of the Program Director, Administrative Director, and one peer employee) will determine the next course of action.

If the split sample testing disputed the initial test results or if the initial test results are designated invalid, the employee or student driver will be reinstated.

### ***Refusal to Test***

An employee or student driver's refusal to test for alcohol or controlled substances will be considered a positive test result. Adulteration or tampering with a urine or breath sample is considered conduct that obstructs the testing process and is considered a refusal to test. An employee or student driver whose conduct is considered a refusal to test will be considered a positive test result.

### ***Failed Alcohol Test Result***

Upon notification that an employee has failed an alcohol test (0.04% BAC or greater), the employee will be the employee will be removed from all safety-sensitive functions until further time

when a review board (consisting of the Program Director, Administrative Director, and one peer employee) will determine the best course of action.

Upon notification that an employee tested 0.02% BAC or greater, but less than 0.04% BAC in initial and confirmatory tests for alcohol, the employee will be removed from all safety-sensitive functions until further time when a review board (consisting of the Program Director, Administrative Director, and one peer employee) will determine the best course of action.

## Thank you

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