

# DRUGS & ALCOHOL

## UNDER CSA 2010

If you violate the rules on the use of drugs or alcohol, you put the public, your employer, your family, and yourself at risk. CSA 2010 will provide even more reasons to follow the rules.

### EXAMPLES OF DRUG & ALCOHOL VIOLATIONS:

- Being under the influence of controlled substances
- Possessing alcohol in a CMV
- Using alcohol four hours before driving
- Violating an out-of-service order related to drug or alcohol use

### What are the BASICS?

The *Behavioral Analysis and Safety Improvement Categories*, or BASICS, are seven categories of safety-related violations on which you and your employer will be graded under CSA 2010. They are: unsafe driving, fatigued driving, driver fitness, drugs/alcohol, vehicle maintenance, cargo loading/securement, and crash history.

### DID YOU KNOW?

Two DUI or DWI convictions in *any type of vehicle* can result in lifetime disqualification! A CDL holder who is convicted of a felony for dispensing drugs from a vehicle also faces lifetime disqualification.

### Intervention #4

#### *The cooperative safety plan*

A cooperative safety plan is a compliance improvement plan developed and implemented voluntarily by a motor carrier in cooperation with the FMCSA. It's usually triggered after investigation reveals safety problems that the carrier expresses a willingness to fix.

### WHAT IS A DRUG OR ALCOHOL VIOLATION?

Operating a commercial motor vehicle (CMV) while in possession of alcohol or illegal drugs, or impaired due to alcohol, illegal drugs, or misuse of prescription or over-the-counter medications.

### HOW IS THE DRUG & ALCOHOL BASIC MEASURED?

Using violations of federal safety rules 392.4 and 392.5, as recorded during roadside inspections during the past 3 years. Prevention of drug and alcohol violations is among the "essential" safety management controls that a company must have in place, and drug and alcohol violations are among the "fundamental" violations that can result in an automatic failing grade.

### HOW WILL DRUG & ALCOHOL VIOLATIONS AFFECT ME?

If your record includes violations of the drug or alcohol rules, your safety ranking (and that of your company) will be damaged. The result could be intervention by the Federal Motor Carrier Safety Administration (FMCSA), including a warning letter, more roadside inspections, an audit, or even an out-of-service order. You personally could be fined. The more violations, the higher the BASIC score and the more likely the FMCSA will take action.

Your grade on this BASIC will be updated every 30 days. When measuring your performance, the FMCSA will consider:

- Drug/alcohol violations from the past 36 months — or 24 months for your employer's grade.
- The types of violations committed — some bear more weight than others (see table).
- The age of the violations — the more recent the violation, the worse it is. In fact, violations recorded within the last 12 months are assigned a severity weight that's *three times* that of violations recorded between 2 and 3 years ago.

### WHICH DRUGS ARE INCLUDED?

As graded under this BASIC, drivers are prohibited from possessing, being under the influence of, or using any of these substances:

- Any "Schedule I" substance as listed in 21 CFR §1308.11;
- Any amphetamine or related substance (including "pep pills" or "bennies");
- Any narcotic drug or derivative of a narcotic; or
- Any other substance to a degree which renders you incapable of safely operating a motor vehicle.

### THE DRUG & ALCOHOL VIOLATIONS BY SEVERITY

The higher the severity, the more crash risk and the more your grade on this BASIC will be affected.

VIOLATION	SEVERITY
Violating an out-of-service order related to drug or alcohol use	10
Using or possessing controlled substances	10
Possessing, using, or being under the influence of alcohol 4 hours prior to duty	5

Possible violations under this BASIC: 3 • Number that could affect driver's grade: 3 (average severity = 8.3)



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