INSTRUCTIONS FOR COMPLETION OF FORMS

ALCOHOL & DRUG RECORDS:

1. PREVIOUS PRE-EMPLOYMENT EMPLOYEE ALCOHOL AND DRUG TEST STATEMENT:
(40.25(j)) Motor carriers must ask employees whether they have tested positive or refused to test on any pre-employment drug or alcohol test administered by an employer to which the employee applied for, but did not obtain, safety-sensitive transportation work covered by DOT agency drug and alcohol testing rules during the past two years. If the employee admits that he/she had a positive test or a refusal to test, the motor carrier must not use the employee to perform safety-sensitive functions until and unless the employee documents successful completion of the return-to-duty process. Though not required, the Previous Pre-Employment Employee Alcohol and Drug Test Statement may be used to document compliance with 40.25(j). (Form No. 6801)

2. DRUG AND ALCOHOL RECORDS REQUEST:
(40.329)(40.331(a))(382.405(b) and (f)) A driver is entitled, upon written request, to obtain copies of any records pertaining to the driver's use of alcohol or controlled substances, including any records pertaining to his or her alcohol or controlled substances tests. An employer that receives such a written request shall promptly provide the records requested by the driver. Though not required, the Drug and Alcohol Records Request is provided for drivers who wish to request their drug and/or alcohol records. (Form No. 6826)

3. ALCOHOL AND DRUG EMPLOYEE'S CERTIFIED RECEIPT:
(382.601(d)) Each employer must ensure that each driver signs a statement certifying that he or she has received a copy of the materials described in Section 382.601. Each employer must maintain the original of the signed certificate and may provide a copy of the certificate to the driver. (Form No. 6793)

4. ALCOHOL AND/OR DRUG TEST NOTIFICATION:
(382.113) Before performing each alcohol or drug test under Part 382, each employer must notify the driver that the alcohol or drug test is required by Part 382. No employer shall falsely represent that a test is administered under Part 382. Though not required, the Alcohol and/or Drug Test Notification form may be used to satisfy this notification requirement. (Form No. 3048)

5. DRUG TEST RESULTS:
(40.163) The medical review officer (MRO) is required to report all drug test results to the employer. The report must contain the information listed in Section 40.163(c). The report may be forwarded to the employer by a consortium/third party administrator (C/TPA) acting as an intermediary. (Form No. 6794)

6. OBSERVED BEHAVIOR REASONABLE SUSPICION RECORD:
(382.307) A written record must be made of the observations leading to an alcohol or controlled substances reasonable suspicion test, and signed by the supervisor or company official who made the observations, within 24 hours of the observed behavior or before the results of the alcohol or controlled substances tests are released, whichever is earlier. (Form No. 7218)

7. U.S. DOT ALCOHOL TESTING FORM:
(40.225) The DOT Alcohol Testing Form (ATF) must be used for every DOT alcohol test. The ATF must be a three-part carbonless manifold form. Motor carriers are not permitted to modify or revise the ATF except as allowed in Section 40.225. (Form No. 6849)

8. FEDERAL DRUG TESTING CUSTODY AND CONTROL FORM:
(40.45) The Federal Drug Testing Custody and Control Form (CCF) must be used to document every urine collection required by the DOT drug testing program. The CCF must be a five-part carbonless manifold form. You must not use a non-Federal form or an expired Federal form to conduct a DOT urine collection. Motor carriers are not permitted to modify or revise the CCF except as allowed in Section 40.45. (Form No. 6520)

DRIVER INVESTIGATION HISTORY RECORDS:

1. SAFETY PERFORMANCE HISTORY RECORDS REQUEST:
(40.25)(391.23) Each motor carrier must investigate each driver's safety performance history with each of the driver's DOT-regulated employers during the preceding three years. The investigation may consist of personal interviews, telephone interviews, letters, or any other method for investigating that the carrier deems appropriate. A written record must be kept with respect to each previous employer contacted, or good faith efforts to do so, and must include the previous employer's name and address, date of contact or the attempts made, and the information received about the driver. The record must be placed in the driver investigation history file within 30 days of the date the driver's employment begins. The record must be maintained pursuant to Section 391.53. (Form No. 9652 or 9620)

2. PREVIOUS EMPLOYEE SAFETY PERFORMANCE HISTORY:
(391.23) Each motor carrier must investigate each driver's safety performance history with each of the driver's DOT-regulated employers during the preceding three years. The Previous Employee Safety Performance History form allows a driver's previous employer to document the driver's safety performance history upon termination of employment. The completed form can then be forwarded to the driver's prospective employer(s) upon request. The information must be forwarded within 30 days of the request. The information on this form must be kept on file until three years after termination date. (Form No. 9619)
NOTE: The Previous Employee Safety Performance History is not required for DOT compliance.

CAUTION: When using a third party to request background information on applicants or existing employees – such as a motor vehicle records, information from previous employers, criminal records, or credit history – you are subject to the Fair Credit Reporting Act (FCRA) and State consumer reporting laws. Under FCRA, the third-party vendor is considered a consumer reporting agency (CRA) and the employee background information is a consumer report. Before you can obtain a consumer report from a CRA, you must provide applicants and employees with a disclosure stating that your company may obtain such a report for employment purposes, and you must have authorization from the applicant or employee to conduct the check. You must also provide a copy of the Federal Trade Commission's notice called "A Summary of Your Rights Under the Fair Credit Reporting Act." The notice, disclosure, and authorization are not included in this file, and some state laws have additional requirements. Consult with your CRA on the need and use of such documents.

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Two-in-One

Alcohol & Drug Testing and Driver Investigation History File

For Department of Transportation Compliance

FILE CONTENTS

- Alcohol & Drug Recordkeeping Log (printed on the folder)
- Previous Pre-Employment Employee Alcohol and Drug Test Statement
- Alcohol and Drug Records Request
- Alcohol and Drug Employee's Certified Receipt
- Alcohol and/or Drug Test Notification
- Drug Test Results
- Observed Behavior Reasonable Suspicion Record
- U.S. Department of Transportation Alcohol Testing Form
- Federal Drug Testing Custody and Control Form
- Safety Performance History Records Request
- Previous Employee Safety Performance History

DRIVER'S NAME

DATE OF HIRE

RECORD RETENTION

This file includes information required to be maintained in a secure location with controlled access in accordance with the Federal Department of Transportation, Code of Federal Regulations, Sections 382.401, 40.333, and 391.53.

Alcohol & Drug Testing Records:

1. Previous Pre-Employment Employee Alcohol and Drug Test Statement (Section 40.25(j)). Retain per company policy.
2. Alcohol and Drug Records Request (Sections 40.329, 40.331). Retain per company policy.
3. Alcohol and Drug Employee's Certified Receipt (Section 382.601(d)). Retain until 2 years after driver ceases to perform regulated function.
4. Alcohol and/or Drug Test Notification (Section 382.113). Retain per company policy.
5. Drug Test Results (Section 40.163). Retain for 5 years if result indicates a violation, or 1 year if negative or canceled.
6. Observed Behavior Reasonable Suspicion Record (Section 382.307). Retain for 2 years.
7. U.S. DOT Alcohol Testing Form (Section 40.225). Retain for 5 years if result indicates a violation, or 1 year if negative or canceled.
8. Federal Drug Testing Custody and Control Form (Section 40.45). Retain for 5 years if result indicates a violation, or 1 year if negative or canceled.

Driver Investigation History Records:

1. Safety Performance History Records Request (Section 391.23). Retain until 3 years after employment ceases.
2. Previous Employee Safety Performance History (Section 391.23). Retain until 3 years after employment ceases.

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9618 (Rev. 9/15)

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SAMPLE

ALCOHOL & DRUG RECORDKEEPING LOG

Pre-employment Documents

Previous employer information
(use Form #6827 or 9620)

Requested from	Date Requested	Date Rec'd	Reviewed By	Retain Until

Comments: _____

Drug and alcohol records
(use Form #6826)

Requested from	Date Requested	Date Rec'd	Reviewed By	Retain Until

Comments: _____

Employee's alcohol and drug statement regarding pre-employment tests: _____ (date completed)

Employee's signed receipt for drug/alcohol educational materials: _____ (date completed)

The company intends to use the exception to pre-employment drug testing contained in Sec. 382.301: ☐ yes ☐ no
If yes, the company has retained the following documents to satisfy Sec. 382.301: _____

The company has found this employee has, within the last three years, violated Part 382: ☐ yes ☐ no
If yes, the company has retained the following documents regarding the employee's completion of the return-to-duty-process: _____

Instructions for completing Alcohol and Drug Test documentation

1. Record type of test (pre-employment, random, reasonable suspicion, etc.), date test was conducted, and date results were received.
2. Document the records being retained related to each test. These would include, but are not limited to: Federal Drug Testing Custody and Control Form (CCF), U. S. Department of Transportation Alcohol Testing Form (ATF), Medical Review Officer (MRO) reports; driver evaluations and referrals; documents related to reasonable suspicion; documents regarding decisions on post-accident tests; documents related to a driver's refusal to test; and documents presented by a driver to dispute the results of an alcohol/drug test.
3. Refer to requirements in Section 382.401 and Section 40.333 for complete retention requirements. Record the date in the "Retain Until" portion of the form.

Alcohol Tests

	Type of Test	Test Date	Date Results Rec'd	Record to be Retained Until
1.				
Records related to this test:				
2.				
Records related to this test:				
3.				
Records related to this test:				
4.				
Records related to this test:				

✻ Retain for 1 year minimum - Alcohol test results with a concentration of less than 0.02.
✻ Retain for 5 years minimum - Alcohol test results with results of 0.02 or greater.

Drug Tests

	Type of Test	Test Date	Date Results Rec'd	Record to be Retained Until
1.				
Records related to this test:				
2.				
Records related to this test:				
3.				
Records related to this test:				
4.				
Records related to this test:				

✻✻ Retain for minimum of 1 year - Records of negative and cancelled controlled substance test results.
✻✻ Retain for minimum of 5 years - Driver verified positive controlled substance test results.

This file contains the following documents related to SAP reports and the return-to-duty process: _____

This file contains the following documents on the inability to provide sufficient breath or urine for testing: _____

This file contains the following records related to other violations of Part 382: _____

EMPLOYEE NO. _____ NAME _____

SAMPLE