

TOWNSHIP OF HOPEWELL

**DRUG AND ALCOHOL POLICY FOR EMPLOYEES
REQUIRED TO POSSESS A
COMMERCIAL DRIVER'S LICENSE**

THIS DOCUMENT PROVIDES THE TOWNSHIP OF HOPEWELL (THE “TOWNSHIP”) WITH A POLICY IMPLEMENTING DEPARTMENT OF TRANSPORTATION REGULATIONS MANDATING DRUG AND ALCOHOL TESTING FOR EMPLOYEES REQUIRED TO POSSESS A COMMERCIAL DRIVER’S LICENSE. IT IS NEITHER INTENDED TO NOR SHOULD IT BE CONSTRUED AS CREATING ANY ENFORCEABLE RIGHTS IN THE TOWNSHIP’S EMPLOYEES. THIS POLICY IS NOT IN ANY WAY INTENDED, NOR SHOULD IT BE CONSTRUED AS, AN EXPRESSED OR IMPLIED CONTRACTUAL PROMISE, COMMITMENT OR CONTRACT. THE TOWNSHIP OF HOPEWELL RESERVES THE RIGHT TO CHANGE THIS POLICY AND/OR ANY EDUCATIONAL MATERIALS AT ANY TIME, WITH OR WITHOUT NOTICE.

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Notice of Township of Hopewell Drug & Alcohol Testing Policy for Employees
Required to Possess a Commercial Driver's License & Certificate of Receipt

Service Agent Contact Information

Previous Pre-Employment Employee Alcohol and Drug Test Statement

Release of Information Form 49 CFR Part 40 Drug and Alcohol Testing

General Consent for Limited Queries of the Federal Motor Carrier Safety Administration
(FMCSA) Drug and Alcohol Clearinghouse

Supervisor's Report of Reasonable Suspicion

Commercial Motor Vehicle Driver's Certificate of Compliance with
DOT Cellular Phone/Texting Bans

Drug Educational Information

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I. Purpose

The illegal use of drugs and alcohol is a national problem that seriously affects Americans. Drug and alcohol abuse not only affects individual users and their families, but also presents dangers for the workplace. The Township has always been committed to providing a safe environment and fostering the well-being and health of our employees and residents. Illegal drug and improper alcohol use undermines our capability to keep this commitment.

In addition to meeting Federal regulations, this policy establishes a program designed to help prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances by drivers of commercial motor vehicles.

To keep this commitment and to comply with the provisions of the Omnibus Transportation Employee Testing Act of 1991, this policy outlines mandated drug and alcohol testing requirements. Specifically, this policy describes, among other things, the positions subject to testing, prohibited conduct, the circumstances under which a driver will be required to submit to drug and/or alcohol testing, testing procedures, and the consequences of violating the policy.

The Township of Hopewell, pursuant to its own independent authority as an employer, has established the following policy:

1. It is a violation of Township policy for any employee to possess, manufacture, distribute, sell, trade, or offer for sale alcohol, marijuana or illegal drugs or otherwise engage in the consumption of alcohol, marijuana or illegal use of drugs on Township premises, in Township vehicles, or while on Township business or during working hours.
2. It is a violation of Township policy for anyone to report to work under the influence of or exhibit signs of consumption of alcohol, illegal drugs, marijuana or illegally used prescription drugs. (Nothing in this policy, however, precludes the appropriate use of legally prescribed medications).

The U.S. Department of Transportation does not authorize “medical marijuana” or recreational marijuana use under New Jersey law to be a valid explanation for a driver’s positive drug test result. Marijuana remains a drug listed in Schedule I of the Controlled Substances Act and it remains unacceptable for any driver subject to drug testing under the U.S. Department of Transportation’s drug testing regulations to use marijuana.

Pursuant to its independent authority as an employer, the Township reserves its right to conduct non-DOT drug and alcohol testing on its CDL employees. The Township may test CDL employees for drugs, prescription and over-the-counter medications or substances which have an impairing effect and/or alcohol pursuant to the provisions of

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this policy incorporated pursuant to the Township's independent authority as an employer, its Alcohol and Drug-Free Workplace Policy or as permitted by applicable state or local laws or regulations and applicable collective bargaining agreements. Testing includes the detection of any mind altering synthetic or designer drugs and any controlled or scheduled substance not used in accordance with a health care provider's lawful prescription for the user. These collections may be performed independently or in addition to, but not as a substitute for, DOT regulated tests.

Employees who are subject to recall are expected to be fit for duty upon reporting for work. If an employee is under the influence of alcohol, the employee must notify Township personnel when contacted.

The Township conducts drug and alcohol testing of its CDL employees in accordance with U.S. Department of Transportation regulations, including 49 CFR Part 382 and 49 CFR Part 40. The drug and alcohol testing procedure, the classes of drugs tested and the cut-off concentrations, among other things, are determined by 49 CFR Part 40. For additional information, see <http://www.dot.gov/odapc>.

Violations of this policy are subject to disciplinary action up to and including termination.

Everyone shares responsibility for maintaining a safe work environment and co-workers should encourage anyone who may have an alcohol or drug problem to seek help.

Drivers with questions concerning this policy should contact the Administrator/Director of Public Works at 609-737-0605. For service agent contact information, please see Township of Hopewell Service Agent Contact Information attached to this Policy.

II. Positions Subject to Testing

- A. Drivers whose position requires them to possess a Commercial Driver's License ("CDL") must undergo drug and alcohol testing in accordance with DOT regulations. A CDL is required for drivers who drive motor vehicles which:
1. Have a gross combination weight rating or gross combination weight of 26,001 pounds or more, whichever is greater, inclusive of a towed unit(s) with a gross vehicle weight rating or gross vehicle weight of more than 10,000 pounds, whichever is greater; or
 2. Have a gross vehicle weight rating or gross vehicle weight of 26,001 pounds or more, whichever is greater; or
 3. Are designed to transport 16 or more passengers, including the driver; or
 4. Are of any size and are used in the transportation of materials found to be hazardous and which require the motor vehicle to be placarded.

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- B. Safety-sensitive function as used in this policy means all time from the time a driver begins to work or is required to be ready to work until the time the driver is relieved from work and all responsibility for performing work. For example, safety-sensitive functions include:
1. All time at work, unless the Township relieved the driver from work;
 2. All time inspecting equipment or otherwise inspecting, servicing, or conditioning a commercial motor vehicle;
 3. All time spent at the driving controls of a commercial motor vehicle in operation, including clearing roads, removing snow, and performing trash and recycling removal;
 4. All time, other than driving time, in or upon any commercial motor vehicle;
 5. All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, or remaining in readiness to operate the vehicle; and
 6. All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

III. Prohibited Conduct

A. Alcohol

1. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater. Pursuant to its independent authority as an employer, the Township prohibits any driver from reporting for duty or remaining on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.02 or greater.
2. No supervisor having actual knowledge that a driver has an alcohol concentration of 0.04 or greater shall permit the driver to perform or continue to perform safety-sensitive functions. Pursuant to its independent authority as an employer, the Township prohibits any supervisor having actual knowledge that a driver has an alcohol concentration of 0.02 or greater from permitting a driver to perform or continue to perform safety-sensitive functions.

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3. No driver shall be on duty or operate a commercial motor vehicle while the driver possesses alcohol, unless the alcohol is manifested and transported as part of a shipment. No supervisor having actual knowledge that a driver possesses unmanifested alcohol may permit the driver to drive or continue to drive a commercial motor vehicle.
4. No driver shall use alcohol while performing a safety sensitive function. No supervisor having actual knowledge that a driver is using alcohol while performing safety-sensitive functions shall permit the driver to perform or continue to perform safety-sensitive functions.
5. No driver shall perform safety-sensitive functions within four (4) hours after using alcohol. No supervisor having actual knowledge that a driver has used alcohol within four (4) hours shall permit a driver to perform or continue to perform safety-sensitive functions.
6. No driver required to take a post-accident alcohol test shall use alcohol within eight (8) hours following the accident, unless the driver undergoes a post-accident alcohol test, whichever occurs first.
7. No driver shall refuse to submit to a post-accident alcohol test, a random alcohol test, a reasonable suspicion alcohol test, a return-to-duty alcohol test, or a follow-up alcohol test. No supervisor shall permit a driver who refuses to submit to such tests to perform or continue to perform safety-sensitive functions. A driver refuses to submit to an alcohol test by:
 - a. Failing to appear for the test within a reasonable time after being directed to do so;
 - b. Failing to remain at the testing site until the testing process is complete;
 - c. Failure to sign Step #2 of the AFT;
 - d. Failing to provide a breath sample;
 - e. Failing to provide a sufficient breath specimen and the physician has determined, through a required medical evaluation, that there was not adequate medical explanation for the failure;
 - f. Failing to undergo a medical examination or evaluation as directed as part of “shy lung” procedures; and
 - g. Failing to cooperate with any part of the testing process.

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8. The Township will treat a driver's refusal to submit to an alcohol test required under this Policy as a verified positive test result.
9. Pursuant to the Township's independent authority as an employer, any supervisor who knew, but who fails to report prohibited conduct by an employee will be subject to disciplinary action.

B. Drugs

1. No driver shall report for duty or remain on duty requiring the performance of safety sensitive functions when the driver uses any drug or substance identified in 21 C.F.R. § 1308.11 Schedule I including marijuana.

As to drugs or substances not identified in 21 C.F.R. § 1308.11 Schedule I, no driver shall report for duty or remain on duty when the driver uses any drug, except when the driver uses a drug pursuant to the instructions of a licensed medical practitioner who has provided written documentation to the driver that the drug will not adversely affect the driver's ability to safely operate a commercial motor vehicle and the driver provided that documentation to the Administrator/Director of Public Works. No supervisor having actual knowledge that a driver has used a drug shall permit the driver to perform or continue to perform a safety-sensitive function.

Important Note Regarding Prescription and Over-the-Counter Medications
(based upon the Township's independent authority as an employer):

Medications: As a CDL driver, when prescribed a medication or advised to use an over-the-counter medication, an employee has an obligation to discuss with the physician the possible side-effects of that medication when operating commercial motor vehicles. The employee must provide the doctor a copy of their job description or specific duties and have the doctor render an opinion on the safety related risks.

If a CDL driver is being treated by more than one doctor, the driver must inform at least one of the treating doctors of all prescribed and authorized medications. That physician must determine whether the use of the medications is consistent with the driver's safe performance of their duties.

If the physician advises that the medication may affect the employee's ability to safely operate a commercial motor vehicle and advises against performing safety sensitive functions, the employee must

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provide documentation to the Administrator/Director of Public Works from the licensed physician that states that they are not able to safely perform safety sensitive functions.

Over-the-Counter Medications: As a CDL driver, an employee also has an obligation to be aware of how over-the-counter medications affect their ability to safely operate a commercial motor vehicle. Many over-the-counter medications include warnings against operating heavy equipment or advise that they may cause drowsiness. The employee should ask their pharmacist for alternatives that do not cause drowsiness. If an employee takes an over-the-counter medication, the employee must consult with their physician, and have the doctor render an opinion regarding whether the medication may affect the employee's ability to safely operate a commercial motor vehicle. If the physician advises against performing safety sensitive functions, the employee must provide documentation to the Administrator/Director of Public Works from the physician that states that they not able to safely perform safety sensitive functions.

The driver need not disclose the drug, medication or substance, or the medical condition involved, to fulfill this pre-duty disclosure obligation. The Township will maintain the confidentiality of employee medical information.

Pursuant to the Township's independent authority as an employer, the failure or refusal by an employee to provide acceptable medical documentation may result in discipline up to and including termination of employment. Based upon the MRO's determination on the driver's ability to safety operate a commercial motor vehicle or the safety related risks of any particular drug, medication or substance, the Administrator/Director of Public Works will determine whether the Township should temporarily change the employee's job assignment during the period of treatment or place the employee on sick leave during treatment.

Pre-Duty Disclosure Required: Pursuant to the Township's independent authority as an employer, all drivers are required to disclose pre-duty that they are taking a prescription(s) or over-the-counter medication(s) (including medical marijuana) which may affect their ability to safely operate a commercial motor vehicle or perform safety-sensitive duties. If a driver fails to disclose that they are taking prescription or over-the-counter medication pre-duty and the driver tests positive or is determined by the MRO to be a potential safety risk, that driver will be subject to discipline, up to and including termination. If disclosure is made, the Township reserves its right to send the driver for a fitness-for-duty evaluation to determine the medication's possible adverse effects on the

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driver's ability to safely operate a commercial motor vehicle or perform other safety-sensitive duties.

Pursuant to the Township's independent authority as an employer, the Township will take disciplinary action, up to and including termination of employment, against drivers who misuse prescription drugs or over-the-counter medications. Prescription drugs must not be used by any person other than the individual to whom it is prescribed. Prescription and over-the-counter drugs must be used only as prescribed or indicated.

Employees are prohibited from consuming or being under the influence of prescription drugs that are not prescribed in their name on Township property or while performing Township business. Soliciting or distributing prescription drugs for or to other employees is also strictly prohibited.

2. No driver shall report for duty, remain on duty or perform a safety-sensitive function, if the driver tests positive or has adulterated or substituted a test specimen for drugs. No supervisor having actual knowledge that a driver has tested positive or has adulterated or substituted a test specimen for drugs shall permit the driver to perform or continue to perform safety-sensitive functions.
3. No driver shall refuse to submit to a pre-employment drug test, a post-accident drug test, a random drug test, a reasonable suspicion drug test, a return-to-duty drug test, or a follow-up drug test. No supervisor shall permit a driver who refuses to submit to such tests to perform or continue to perform safety-sensitive functions. A driver refuses to submit to a drug test by:
 - a. Failing to appear for the test within a reasonable time after being directed to do so;
 - b. Failing to remain at the testing site until the testing process is complete;
 - c. Failing to provide a urine specimen;
 - d. Failing to take a second test the employer or collector has directed the driver to take;
 - e. In the case of a directly observed or monitored collection, failing to permit the observation or monitoring of the driver's provision of a specimen. (Tests conducted under direct observation or monitoring occur in limited situations. The majority of specimens are provided in private);

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- f. Failing to provide a sufficient amount of urine when directed without an adequate medical explanation for the failure;
 - g. Failing to or declining to take an additional drug test the Township or collector has directed the driver to take;
 - h. Failing to undergo a medical examination or evaluation as directed as part of “shy bladder” procedures; and
 - i. Failing to cooperate with any part of the testing process (e.g., refusing 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);
 - j. Failing to follow the observer’s instructions (during a direct observation collection) to raise clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if the driver has any type of prosthetic or other device that could be used to interfere with the collection process;
 - k. Processing or wearing a prosthetic or other device that could be used to interfere with the collection process;
 - l. Admitting to the collector or MRO that the driver adulterated or substitute the specimen;
 - m. Producing a verified adulterated or substituted test result.
- 4. A driver's refusal to submit to a drug test required under this Policy constitutes a verified positive test result. Similarly, an adulterated or substituted result constitutes a positive test result.
 - 5. Pursuant to the Township’s independent authority as an employer, any supervisor who knew, but who fails to report, prohibited conduct by an employee will be subject to disciplinary action.

IV. Required Testing

Pursuant to DOT regulations, the Township will conduct the following alcohol and drug testing:

A. Pre-Employment Testing

1. Pre-Employment Drug Testing

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- a. Prior to the first time a driver reports to duty, but after the Township extends an offer of employment, the driver shall undergo drug testing (unless an exception under DOT regulations applies). Pursuant to its independent authority as an employer, the Township will not hire drivers who test positive for drug use.
- b. Pre-employment drug testing applies to post-offer applicants and employees transferred into a safety-sensitive position.
- c. The Township will notify a driver of the results of a pre-employment drug test if the driver requests such results within sixty (60) calendar days of being notified of the disposition of the employment application.

2. Pre-Employment Alcohol Testing

A driver shall not be required to submit to alcohol testing prior to the first time the driver reports to duty.

3. Pre-Employment Record Check

As part of the pre-employment process, the Township will check the drug and alcohol testing record of post-offer applicants/new hires or employees transferred into safety-sensitive positions.

- a. A post-offer applicant/new hire must provide the Township with written consent permitting the Township to check their drug and alcohol testing records with previous employers over the past three years. See Release of Information Form 49 CFR Part 40 Drug and Alcohol Testing; and General Consent for Limited Queries of the Federal Motor Carrier Safety Administration (FMCSA) Drug and Alcohol Clearinghouse.
- b. As of January 6, 2023, the Township will use the Drug and Alcohol Clearinghouse to check applicant drug and alcohol testing records with previous employers. See General Consent for Limited Queries of the Federal Motor Carrier Safety Administration (FMCSA) Drug and Alcohol Clearinghouse.
- c. The Township will obtain and review this information before the employee first performs safety-sensitive functions. If this is not feasible, the Township will obtain and review the information as soon as possible, but the Township will not permit the employee to perform safety-sensitive functions after thirty (30) days from the date on which the employee first performed safety-sensitive

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functions, unless the Township obtained or made and documented a good faith effort to obtain the information.

- d. The Township will not permit an individual to perform safety-sensitive functions if it obtains information indicating that the individual tested with an alcohol concentration of 0.04 or greater, received a verified positive result on a controlled substances test, or refused to be tested, unless the Township also obtains information that the individual was evaluated and treated by a Substance Abuse Professional and successfully passed return-to-duty testing.

B. Post-Accident Testing

As soon as possible following an accident involving a commercial motor vehicle, the driver shall submit to post-accident alcohol and drug testing. The driver must submit to post-accident alcohol and drug testing if the accident involved a fatality or meets other certain criteria.

The following table notes when post-accident DOT tests are required:

<u>Type of accident involved</u>	<u>Citation issued to the CMV driver</u>	<u>Test must be performed by Township</u>
Human fatality	YES	YES
	NO	YES
Bodily injury with immediate medical treatment away from the scene	YES	YES
	NO	NO
Disabling damage to any motor vehicle requiring tow away	YES	YES
	NO	NO

The Township, pursuant to its independent authority, will require a driver to submit to post-accident alcohol and drug testing if the accident results in personal injury or property damage including damage to Township property.

A driver who is subject to post-accident testing must remain readily available for testing or the Township may deem the driver to have refused to submit to testing.

1. Alcohol Testing

Post-accident alcohol testing must take place as quickly as possible. The driver will make every effort to submit to post-accident alcohol testing within two (2) hours after the accident. If the driver cannot submit to

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testing within two (2) hours, the driver should continue to try to submit to testing up to eight (8) hours after the accident. The supervisor will produce a written report recording the reason why the driver could not submit to testing within two (2) hours after the accident. The supervisor must submit the report to the Administrator/Director of Public Works.

For purposes of this section, the time of the accident will be the time indicated in the official accident report.

Law enforcement agencies with the authority to do so may perform post-accident alcohol testing. The results of those tests will be used as a basis for appropriate action by the Township provided the tests are performed in compliance with federal, state and local requirements.

2. Drug Testing

Post-accident drug testing shall take place as quickly as possible. The driver must make every effort to submit to post-accident drug testing within thirty-two (32) hours following the accident.

If the driver is unable to submit to drug testing within thirty-two (32) hours after the accident, the driver should stop trying to submit to testing. The supervisor will produce a written report recording the reason why the driver could not submit to testing. The supervisor must submit the written report to the Administrator/Director of Public Works.

For purposes of this section, the time of the accident will be the time indicated in the official accident report.

Law enforcement agencies with the authority to do so may perform post-accident drug and alcohol testing. The results of those tests will be used as a basis for appropriate action by the Township provided the tests are performed in compliance with federal, state and local requirements.

3. Accident Reporting Procedures

- a. Nothing in this section is intended to prevent an injured person from obtaining immediate medical attention or to prohibit a driver from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.
- b. Upon being involved in a motor vehicle accident while operating a commercial motor vehicle, the operator shall follow standard reporting procedures including:

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- i. Unless unable to do so because taken into custody or transported for medical care, the employee must notify the Administrator/Director of Public Works of the accident by the fastest means possible and remain available at the scene pending further instructions. If taken into custody or transported for medical care, the employee will ask law enforcement or medical personnel to notify the Administrator/Director of Public Works as soon as possible if the employee cannot do so.
- ii. When contacted, the vehicle identification number and location of the accident will be relayed to the Administrator/Director of Public Works;
- iii. If law enforcement is not already on the scene, the Administrator/Director of Public Works will contact the appropriate law enforcement agency.
- iv. Whenever possible, the Administrator/Director of Public Works or designee will respond to the scene of the accident to determine whether (1) a fatality has occurred or (2) the covered employee received a summons for a moving violation and the accident involved bodily injury to any person who, as a result of the injury, immediately received medical treatment away from the scene or one or more motor vehicles incurred disabling damage requiring the motor vehicle to be removed from the scene by a tow truck. If the Administrator/Director of Public Works is not able to respond to the scene, they will obtain this information from the employee or law enforcement officials.
- v. If the accident results in (1) a death or (2) the issuance of a moving violation citation to the driver and the accident involved bodily injury to any person who, as a result of the injury, immediately received medical treatment away from the scene or one or more motor vehicles incurred disabling damage requiring the motor vehicle to be removed from the scene by a tow truck, the Administrator/Director of Public Works will provide further instructions on alcohol and/or drug testing of the employee.

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C. Random Testing

1. All drivers shall be subject to drug and alcohol random testing. Random alcohol testing will be done just before, during or just after performing a safety sensitive function.
2. Annually, a specific percentage of the drivers will undergo drug testing and a specific percentage of the drivers will undergo alcohol testing. The percentage is determined annually by the U.S. Department of Transportation. Random drug and alcohol testing will be unannounced and the dates for administering random alcohol and drug tests shall be spread reasonably throughout the calendar year.
3. Drivers for random alcohol and drug testing shall be selected by a scientifically valid method, such as a random number table or a computer based random number generator. Once chosen to undergo testing, the employee's name will be re-entered into the system for the next round of testing announcements. Under this selection process, each driver shall have an equal chance of being tested each time selections are made.
4. Upon selection, the driver shall report to the test site immediately. If the driver is performing a safety-sensitive function, other than driving a commercial motor vehicle, at the time of notification, the driver shall stop performing that function in a manner consistent with safety and proceed to the test site as soon as possible.
5. If the selected employee is off from work, the employee's name will be skipped and the next person on the list will be selected for testing.

D. Reasonable Suspicion Testing

1. Alcohol Testing
 - a. A supervisor shall require a driver to submit to an alcohol test when they have reasonable suspicion to believe that the driver has violated the prohibitions against alcohol concentration, on-duty use of alcohol, pre-duty use or use following an accident.
 - b. The supervisor's determination that reasonable suspicion exists to require the driver to undergo an alcohol test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver.

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- c. When a supervisor or other trained Township official has reasonable suspicion that a driver may be under the influence of alcohol, they shall:
 - i. Complete the Supervisor's Report of Reasonable Suspicion form, following the appropriate instructions. The Supervisor's Report of Reasonable Suspicion should be completed as promptly as possible, but in no event longer than twenty-four hours after the observed behavior or after the results of the alcohol test is released, whichever is earlier.
 - ii. Contact the Administrator/Director of Public Works, who will provide further instruction.
- d. Reasonable suspicion alcohol testing is authorized only if the required observations are made just before, during or immediately after performing safety-sensitive functions.
- e. Every effort should be made to conduct alcohol testing no more than two (2) hours after the supervisor determines reasonable suspicion exists.
- f. If the required testing is not performed within two (2) hours after the supervisor determines reasonable suspicion exists, the supervisor shall prepare a report indicating the reasons the alcohol test was not promptly administered and submit the written report to the Administrator/Director of Public Works.
- g. If the required test is not performed within eight (8) hours after the supervisor determines reasonable suspicion exists, the supervisor and the Township shall cease attempts to administer an alcohol test and the supervisor will state in the report the reasons for not administering the required test. The supervisor must submit the written report to the Administrator/Director of Public Works.

2. Drug Testing

- a. A supervisor shall require a driver to submit to a drug test when they have reasonable suspicion to believe that the driver violated the prohibitions against drug use.
- b. The supervisor's determination that reasonable suspicion exists to require the driver to undergo a drug test must be based on specific, contemporaneous, articulable observations concerning the

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appearance, behavior, speech or body odors of the driver. The observations may include indications of the chronic and withdrawal effects of drugs.

- c. When a supervisor or other trained Township official has reasonable suspicion that a driver may be under the influence of drugs, they shall:
 - i. Complete the Supervisor's Report of Reasonable Suspicion form, following the appropriate instructions. The Supervisor's Report of Reasonable Suspicion should be completed as promptly as possible, but in no event longer than twenty-four (24) hours after the observed behavior or after the results of the drug test is released, whichever is earlier.
 - ii. Contact the Administrator/Director of Public Works, who will provide further instruction.

E. Return-to-Duty Testing

1. Return-to-Duty Alcohol Testing

- a. If a driver has an alcohol test with a result indicating an alcohol concentration of 0.04 or greater, the driver must be evaluated by a Substance Abuse Professional. The driver shall be responsible for the cost of the Substance Abuse Professional. The driver must complete all treatment recommended by the Substance Abuse Professional.
- b. Prior to returning to duty, any driver who has an alcohol test with a result indicating an alcohol concentration of 0.04 or greater must undergo a return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.02. The driver shall be responsible for the cost of return-to-duty testing.
- c. Pursuant to the Township's independent authority as an employer, prior to returning to duty, any driver who has an alcohol test with a result indicating an alcohol concentration of 0.02 to 0.39 must undergo evaluation and treatment by a Substance Abuse Professional and submit to a return-to-duty test which results in a breath alcohol concentration of less than 0.02.
- d. Pursuant to the Township's independent authority as an employer, prior to returning to duty, any driver who has an alcohol test in

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violation of any Borough policy must undergo evaluation and treatment by a Substance Abuse Professional and submit to a return-to-duty test which results in a breath alcohol concentration of less than 0.02.

2. Return-to-Duty Drug Testing

- a. If a driver tests positive for drugs, the driver must be evaluated by a Substance Abuse Professional. The driver shall be responsible for the cost of the Substance Abuse Professional. The driver must complete all treatment recommended by the Substance Abuse Professional.
- b. Prior to returning to duty, any driver who engaged in drug use prohibited by the DOT regulations must undergo a return-to-duty drug test with a result indicating a verified negative result for drug use.
- c. Pursuant to the Township's independent authority as an employer, prior to returning to duty, any driver who tests positive for drugs in violation of any Borough policy must undergo evaluation and treatment by a Substance Abuse Professional and submit to a return-to-duty drug test with a result indicating a verified negative result for drug use.
- d. All return to duty drug testing collection will be under direct observation. The driver will be responsible for the cost of return-to-duty testing.

F. Follow-Up Testing

1. Any driver required to be evaluated, and/or treated by a Substance Abuse Professional shall be subject to unannounced follow-up testing as the Substance Abuse Professional directs. All follow up drug testing collection will be under direct observation. The driver will be responsible for the cost of follow-up testing.
2. Follow-up alcohol testing shall be conducted only when the driver is performing safety-sensitive functions, just before the driver is to perform safety-sensitive functions, or just after the driver has ceased performing safety-sensitive functions.
3. Follow-up testing shall consist of at least six (6) tests in the first twelve (12) months following the driver's return to duty. In no event will the

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follow-up testing exceed sixty (60) months from the date of the driver's return to duty.

4. The Substance Abuse Professional may excuse the requirement for follow-up testing at any time after the first six (6) tests have been administered if they determine that they are no longer required.
 5. The driver shall be further evaluated by the Substance Abuse Professional to ensure that they have properly followed any prescribed rehabilitation program.
- V. Alcohol and Drug Testing Procedures (For more detail please see 49 CFR Part 40, which can be found in its entirety at www.transportation.gov/odapc).
- A. Alcohol Testing Procedures
1. Drivers shall submit to breath or saliva screening tests which indicate their breath alcohol content. Alcohol screening tests shall be administered by a trained Breath Alcohol Technician or trained Screening Test Technician.
 2. When a driver receives notice to report to the alcohol testing site for a breath alcohol test, the driver must:
 - a. Proceed immediately to the testing site;
 - b. Present positive identification, such as a photo driver's license, to the Breath Alcohol Technician or Screening Test Technician; and
 - c. Follow the Breath Alcohol Technician or the Screening Test Technician's instructions on completing the DOT Alcohol Testing Form.
 3. Procedure for breath alcohol screening tests:
 - a. The Breath Alcohol Technician or Screening Test Technician shall conduct the breath alcohol test on a breath testing device approved for testing by the U.S. Department of Transportation. External calibration checks must be performed at regular intervals to ensure the accuracy of the breath testing device.
 - b. The Breath Alcohol Technician or Screening Test Technician shall open an individually-sealed mouthpiece and attach it to the breath testing device in the driver's presence. The Breath Alcohol Technician or Screening Test Technician shall instruct the driver to blow forcefully into the mouthpiece for at least six (6) seconds or

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until the breath testing device indicates that an adequate amount of breath has been obtained. The Breath Alcohol Technician or Screening Test Technician shall show the driver the results displayed on the breath testing device and complete required paperwork.

- c. If a breath tube alcohol screening device is used, the Breath Alcohol Technician or Screening Test Technician must remove the device from the package and secure an inflation bag on to the appropriate end of the device and break the tube's ampoule in the presence of the employee. The Breath Alcohol Technician or the Screening Test Technician must offer the driver the opportunity to hold the device. The Breath Alcohol Technician or Screening Test Technician must instruct the driver to blow forcefully and steadily into the blowing end of the device until the inflation bag fills with air (approximately twelve (12) seconds). The Breath Alcohol Technician or Screening Test Technician must show the driver the analyzer result and complete required paperwork.

4. Procedure for a saliva alcohol screening test:

- a. The Breath Alcohol Technician or Screening Test Technician will conduct the saliva breath alcohol test with a saliva testing device approved for testing by the U.S. Department of Transportation.
- b. The Breath Alcohol Technician or Screening Test Technician will check the expiration date on the saliva screening device and show it to the driver. The Breath Alcohol Technician or Screening Test Technician will open an individually-wrapped or sealed package containing the device in the presence of the driver and offer the driver the opportunity to use the device. Either the driver or the Breath Alcohol Technician or the Screening Test Technician will insert the device into the driver's mouth and gather saliva.

5. Test Results

- a. If the alcohol screening test results in a breath alcohol concentration of less than 0.02, the driver shall complete any remaining paperwork and shall be free to leave the testing site.
- b. If the breath alcohol screening test results in a breath alcohol concentration of 0.02 or greater, the Breath Alcohol Technician must conduct a confirmation breath alcohol test with an Evidential Breath Testing ("EBT) device.

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- i. The confirmation breath alcohol test will be administered at least fifteen (15) minutes but no more than thirty (30) minutes after the completion of the breath alcohol screening test.
 - ii. The Breath Alcohol Technician shall instruct the driver not to eat, drink, smoke or put any object or substance in their mouth, and, to the extent possible, not to belch during the waiting period before the confirmation test. The Breath Alcohol Technician will explain to the driver that this prevents any accumulation of mouth alcohol which could lead to an artificially high reading and is for the driver's benefit.
 - iii. The Breath Alcohol Technician shall provide the driver with a new mouthpiece for the confirmatory test and ensure that the breath testing device registers 0.00 on an air blank on the EBT device to ensure there is no residual alcohol in the EBT or in the air around it.
 - iv. The Breath Alcohol Technician shall perform a confirmation test using the new mouthpiece. The Breath Alcohol Technician will display the results on the EBT to the driver and on the printout from the EBT.
- c. If the confirmation breath alcohol test results in a breath alcohol concentration of less than 0.02, the driver shall complete any remaining paperwork and will be free to leave the testing site.
 - d. If the confirmation breath alcohol test results in a breath alcohol concentration of 0.02 or greater, but less than 0.04, the driver shall not perform safety-sensitive functions for at least 24 hours. Pursuant to the Township's independent authority as an employer, prior to returning for duty, the driver must undergo evaluation and treatment by a Substance Abuse Professional and submit to a return-to-duty test which results in a breath alcohol concentration of less than 0.02.
 - e. If the confirmatory breath alcohol test results in a breath alcohol concentration of 0.04 or greater, the driver shall not perform safety-sensitive functions until a Substance Abuse Professional evaluates the driver. Prior to returning for duty, the driver must complete any treatment prescribed by the Substance Abuse Professional and submit to a return-to-duty test which results in a breath alcohol concentration of less than 0.02.

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6. If a driver is unable to provide enough breath to complete breath alcohol test, they shall be referred to a medical doctor acceptable to the Township for evaluation. If that evaluation fails to detect any medical reason for the inability to provide sufficient breath, the driver shall be deemed to have refused testing.

B. Drug Testing Procedures

1. Drivers shall submit to urine tests to detect the presence of one or more of the following drugs/metabolites: marijuana metabolites, cocaine metabolites, amphetamines, opioids and phencyclidine. Marijuana use, including medical marijuana, is prohibited for CDL drivers. Because it is not regulated, CBD (cannabidiol) products may be detected as marijuana in a drug test.
2. When a driver receives notice to report to the testing site for a drug test, the driver must:
 - a. Proceed immediately to the testing site;
 - b. Present positive identification, such as a photo driver's license, passport, employer issued picture ID, to the collector;
 - c. Follow the collector's instructions on completing the Custody and Control Form.
3. The collector shall present the collection container to the driver sealed in its wrapper or shall unwrap the collection container in the driver's presence. The driver shall void at least 45 ml of urine in the collection container, in accordance with the collector's instructions.
4. In the presence of the driver, the collector will pour thirty (30) ml of urine in one specimen bottle, unwrapped in the driver's presence, and at least fifteen (15) ml of urine into another specimen bottle, also unwrapped in the driver's presence, to be used as a split sample.
 - a. If the driver cannot provide the required quantity of urine, the collector shall urge the driver to drink not more than forty (40) ounces of fluids and, after a period of up to three (3) hours, again attempt to provide a complete sample using a fresh collection container. The driver's refusal to drink does not constitute a refusal to test.

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will release the test result to the Administrator/Director of Public Works only after speaking with the driver. If the driver tests positive because of the use of a prescription drug, the driver must provide the prescription to justify the positive result. Verification on the prescribing medical professional's letterhead is acceptable. If the driver declines to speak with the Medical Review Officer, the Medical Review Officer will release the test result to the Administrator/Director of Public Works in any event.

9. If a positive test result is identified as dilute, the result is a verified positive test. If a negative test result is identified as dilute, the driver will be re-tested. The results of the second test will be the test of record. If this result is also negative and dilute, then the test of record is negative.
10. In the event of a confirmed positive, adulterated, or substituted test, the Medical Review Officer shall make all reasonable efforts to notify the driver that the driver has seventy-two (72) hours to request a test of the split specimen. If the driver requests a test of the split specimen, the Medical Review Officer shall contact the laboratory, which will forward the sample to a different certified laboratory for testing. The driver may not perform safety-sensitive functions until:
 - a. The split sample yields a negative test result; or
 - b. If the split sample reconfirms a positive, adulterated or substituted test result, the driver is referred to, evaluated and treated, if necessary, by a Substance Abuse Professional.

VI. Penalties for Violations

- A. Laws provide for civil and criminal penalties for drivers convicted of operating a commercial motor vehicle under the influence of alcohol or a controlled substance. Penalties include loss of license and incarceration.
- B. The Township, pursuant to its independent authority as an employer, implements the following penalties for violations of this policy:
 1. Penalties for Alcohol Violations
 - a. If an alcohol test yields a breath alcohol concentration of more than 0.02, the driver will be subject to an immediate suspension without pay and disciplinary action up to and including termination of employment.
 - b. Any driver who refuses to take an alcohol test shall be terminated.

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2. Penalties for Drug Violations
 - a. If any drug test yields positive results, the driver will be subject to an immediate suspension without pay and disciplinary action up to and including termination of employment.
 - b. Any driver who refuses to take a drug test will be terminated.
 - c. Any driver who adulterates their urine sample or otherwise engages in conduct that obstructs the testing process will be terminated.

VII. Rehabilitation

The Township, pursuant to its independent authority, offers its employees the following opportunity for rehabilitation:

- A. The Township strongly encourages an employee with a drug/alcohol abuse problem to voluntarily step forward to tell the Administrator/Director of Public Works or any other management representative with whom the employee feels comfortable.
- B. An employee may voluntarily admit to the Township, through the Administrator/Director of Public Works or any other supervisory employee with whom the employee feels comfortable, that they have an alcohol or substance abuse problem without fear of discipline or discharge. This section only applies if:
 1. The employee does not voluntarily admit that they have an alcohol or substance abuse problem to avoid testing under the Department of Transportation regulations;
 2. The employee admits alcohol misuse or controlled substances use prior to performing a safety sensitive function (i.e., prior to reporting for duty); and
 3. The employee does not perform a safety sensitive function until the Township is satisfied that the employee has been evaluated and has successfully completed education or treatment requirements in accordance with the self-identification program guidelines.
- C. Upon admission of an alcohol or substance abuse problem, the Township will provide the employee with information on where they may seek counseling and the individual will immediately enroll himself or herself in a rehabilitation program. The costs of counseling may be covered by the employee's medical insurance. If not, the cost of outside services is the employee's responsibility. An

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unpaid leave of absence will be granted for rehabilitation and treatment consistent with applicable law.

- D. The Township will not take disciplinary action against an employee who voluntarily admits having an alcohol or substance abuse problem as provided in paragraph B above.
- E. Employees will not return to safety sensitive duties until:
 - 1. The employee successfully completes an educational or treatment program, as determined by a drug and alcohol abuse evaluation expert, i.e., employee assistance professional, substance abuse professional, or qualified drug and alcohol counselor; and
 - 2. The employee undergoes a return to duty test with a result indicating an alcohol concentration of less than 0.02; and/or
 - 3. The employee undergoes a return-to-duty drug test with a verified negative test result for controlled substances use; and
 - 4. The employee complies with any required non-DOT follow up testing.
- F. Employee Assistance Program: The Township provides its employees with a confidential assistance program designed to assist employees with the identification and resolution of problems associated with the misuse of alcohol or drug use, or other personal concerns that may adversely affect employee job performance. See Employee Assistance Policy in the Township's Personnel Policies and Procedures Manual.

VIII. The Commercial Driver's License Drug and Alcohol Clearinghouse ("Clearinghouse")

A. Background

- 1. The Purpose of the Clearinghouse: The Clearinghouse is a secure online database that gives employers, among others, real-time information about CDL driver drug and alcohol program violations. It will contain information on all CDL driver drug and alcohol program violations. The Township will use the Clearinghouse to report drug and alcohol violations and to check that no current or prospective employee is prohibited from performing safety-sensitive functions due to a drug and alcohol program violation for which the driver has not successfully completed the return-to-duty process.
- 2. January 6, 2020: Effective January 6, 2020, employers including the Township will be required to report, among other things, drug and alcohol

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violations to the Clearinghouse and to conduct both electronic queries and traditional manual inquiries with previous employers to meet the three-year time frame for checking CDL driver violation histories. Drivers may also view their own records for information recorded on or after January 6, 2020.

3. January 6, 2023: Once three years of violation data are stored in the Clearinghouse, employers including the Township are no longer required to also request information from the driver's previous employers; the employer's query to the Clearinghouse will satisfy this requirement.
 - a. Exception: If an applicant who is subject to follow-up testing has not successfully completed all follow-up tests, the Township must request the applicant's follow-up testing plan directly from the previous employer.

B. Pre-Employment Inquiry to the Clearinghouse

The Township must not employ a driver subject to drug and alcohol testing to perform a safety-sensitive function without first conducting a pre-employment query of the Clearinghouse to obtain information about whether the driver has a verified positive, adulterated, or substituted controlled substances test result; has an alcohol confirmation test with a concentration of 0.04 or higher; has refused to submit to a test; or that an employer has reported actual knowledge that the driver used alcohol on duty, used alcohol before duty, used alcohol following an accident, or used a controlled substance without engaging in pre-duty disclosure of any impairing effect medication or substances.

C. Annual Query to the Clearinghouse

1. Full Query: The Township must conduct an inquiry of the Clearinghouse at least once per year for information for employees subject to controlled substance and alcohol testing under DOT regulations, to determine whether information exists in the Clearinghouse about those employees.
2. Limited Query: Alternatively, the Township may obtain the individual driver's consent to conduct a limited query to satisfy the annual query requirement. See General Consent for Limited Queries of the Federal Motor Carrier Safety Administration (FMCSA) Drug and Alcohol Clearinghouse. The limited query will tell the Township whether there is information about the individual driver in the Clearinghouse but will not release that information to Township. The individual driver may give consent to conduct limited queries that is effective for more than one year. If the limited query shows that information exists in the Clearinghouse about the individual driver, the employer must conduct a full query within

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24 hours of conducting the limited query. If the Township fails to conduct a full query within 24 hours, the Township must not allow the driver to continue to perform any safety-sensitive function until the Township conducts the full query and the results confirm that the driver's Clearinghouse record contains no prohibitions.

3. Prohibition: The Township will not allow a driver to perform any safety-sensitive functions if the results of a Clearinghouse query demonstrate that the driver has a verified positive, adulterated, or substituted controlled substances test result; has an alcohol confirmation test with a concentration of 0.04 or higher; has refused to submit to a test; or that an employer has reported actual knowledge that the driver used alcohol on duty, used alcohol before duty, used alcohol following an accident, or used a controlled substance without engaging in pre-duty disclosure of any impairing effect medication or substances, except where a query of the Clearinghouse demonstrates:
 - a. The driver has successfully completed the SAP evaluation, referral, and education/treatment process; achieves a negative return-to-duty test result; and completes the follow-up testing plan prescribed by the SAP.
 - b. If the driver has not completed all follow-up tests as prescribed by the SAP, the driver has completed the SAP evaluation, referral, and education/treatment process and achieves a negative return-to-duty test result, and the Township assumes the responsibility for managing the follow-up testing process associated with the testing violation.

D. Recordkeeping

The Township will retain a record of each query and all information received in response to each query for three (3) years. As of January 6, 2023, the Township will fulfill this requirement by maintaining a valid registration.

E. Driver Consent to Permit Township Access to Information in the Clearinghouse

1. Consent Required: The Township will not query the Clearinghouse to determine whether a record exists for a driver without first obtaining that driver's written or electronic consent. The Township will retain the consent for three (3) years from the date of the last query. Before the Township may access a driver's Clearinghouse record, the driver must submit electronic consent through the Clearinghouse granting the Township access to the driver's records.

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2. The Township will not permit a driver to perform a safety-sensitive function if the driver refuses to grant consent.
- F. Township Reporting Obligations to the Clearinghouse
1. The Township must report the following information about a driver to the Clearinghouse by the close of the third business day following the date on which it obtained that information:
 - a. An alcohol confirmation test result with an alcohol concentration of 0.04 or greater;
 - b. A negative return-to-duty test result;
 - c. A refusal to take an alcohol test;
 - d. A refusal to take a drug test; and
 - e. A report that the driver has successfully completed all follow-up tests as prescribed in the SAP report.
 2. The Township must report the following violations by the close of the third business day following the date on which it obtains actual knowledge of:
 - a. On-duty alcohol use;
 - b. Pre-duty alcohol use;
 - c. Alcohol use following an accident; and
 - d. Controlled substance use.
- G. Procedures for Correcting Information in the Clearinghouse Database
1. **Petition:** Any driver or authorized representative of the driver may submit a petition to the Federal Motor Carrier Safety Administration contesting the accuracy of information in the Clearinghouse. Petitioners may challenge only the accuracy of information reporting, not the accuracy of test results or refusals.
 2. **Content of Petition:** The Petition must include the driver's name, address, telephone number, and CDL number and State of issuance; detailed description of the basis for the allegation that the information is not accurate; and evidence supporting the allegation that the information is not

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accurate.

3. **Submission:** The petitioner may submit their petition electronically through the Clearinghouse or in writing to: Federal Motor Carrier Safety Administration, Office of Enforcement and Compliance, Attention: Drug and Alcohol Program Manager, 1200 New Jersey Avenue SE, Washington, D.C. 20590.

H. Availability and Removal of Information from the Clearinghouse

1. **Driver Information Not Available:** Information about a driver's drug or alcohol violation will not be available to an employer conducting a query of the Clearinghouse after all the following conditions relating to the violation are satisfied:
 - a. The SAP reports to the Clearinghouse that the driver completed the return-to-duty process;
 - b. The employer reports to the Clearinghouse that the driver's return-to-duty test results are negative;
 - c. The driver's current employer reports that the driver has successfully completed all follow-up tests as prescribed in the SAP report; and
 - d. Five years have passed since the date of the violation determination.

I. Unauthorized Access or Use Prohibited

1. **Access Limitation:** Except as expressly authorized by DOT regulations, no person or entity may access the Clearinghouse.
2. **Township's Use of Information:** The Township's use of information received from the Clearinghouse is limited to determining whether a prohibition applies to a driver performing a safety-sensitive function with respect to a commercial motor vehicle. The Township will not divulge or permit any other person or entity to divulge any information from the Clearinghouse to any person or entity not directly involved in determining whether a prohibition applies to a driver performing a safety-sensitive function with respect to a commercial motor vehicle.
3. **Dissemination Restriction:** No person or entity may share, distribute, publish, or otherwise release any information in the Clearinghouse except as specifically authorized by law.

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4. Inaccurate or Misleading Information: No person may report inaccurate or misleading information to the Clearinghouse.

IX. Record Keeping, Document Retention, and Confidentiality

A. Records to be Maintained

The Township and/or its designated provider of DOT alcohol and controlled substances testing services will maintain the following specific records in a secure location with controlled access:

1. Records Related to the Collection Process
 - a. Collection logbooks.
 - b. Documents relating to the random selection process.
 - c. Calibration documentation for evidential breath testing devices.
 - d. Documentation of breath alcohol technician training.
 - e. Documents generated in connection with decisions to administer reasonable suspicion alcohol or controlled substances tests.
 - f. Documents generated in connection with decisions on post-accident tests.
 - g. Documents verifying the existence or lack of a medical explanation for the inability of an individual to provide adequate breath or to provide a urine specimen for testing.
 - h. Consolidated annual calendar year summaries as required by 49 C.F.R. § 382.403.
2. Records Related to Test Results
 - a. A copy of the alcohol test form, including the results of the test.
 - b. A copy of the controlled substances test chain of custody and control form.
 - c. Documents sent by the MRO to the Township.

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- d. Documents related to the refusal of any covered employee to submit to a required alcohol or controlled substances test required under DOT Drug and Alcohol Testing Regulations.
 - e. Documents presented by drivers to dispute the result of an alcohol or controlled substances test administered under DOT Drug and Alcohol Testing Regulations.
 - f. Documents generated in connection with verifications of prior employers' alcohol or controlled substances test results;
3. Records related to other violations of 49 CFR Part 382.
4. Records Related to Evaluations
- a. Records pertaining to a determination by a Substance Abuse Professional concerning a covered employee's need for assistance.
 - b. Records concerning a covered employee's compliance with recommendations of the Substance Abuse Professional.
5. Records Related to Education and Training
- a. Materials on alcohol misuse and controlled substance use awareness, including the policy and materials distributed to employees.
 - b. Documentation of compliance with the requirements of 49 C.F.R. § 382.601, including the covered employee's signed receipt of education materials.
 - c. Documentation of training provided to supervisors for the purpose of qualifying the supervisors to determine the need for alcohol and/or controlled substances testing based on reasonable suspicion.
 - d. Certification that any training conducted under this Policy complies with the requirements for such training.
6. Administrative Records Related to Alcohol and Drug Testing
- a. Agreements with collection site facilities, laboratories, Medical Review Officers, consortia and/or with a C/TPA, etc.
 - b. Names and positions of officials and their role in the Township's alcohol and controlled substances testing program.

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- c. Semi-annual laboratory statistical summaries of urinalysis required by 49 C.F.R. § 40.111(a).
- d. The Township's alcohol and drug testing policy and procedures (including this policy).

B. Retention of Documents

The following documents shall be maintained in a secure location with controlled access.

1. Five-Year Documents

The Township or its designated provider of DOT alcohol and controlled substances testing services will retain for a period of not less than five (5) years the following records relating to this policy:

- a. Records of alcohol test results indicating an alcohol concentration of 0.02 or greater.
- b. Records of verified positive controlled substances tests.
- c. Documentation of refusals to submit to required alcohol and/or controlled substances testing, including substituted or adulterated drug test results.
- d. Breath testing equipment calibration documentation.
- e. Driver evaluations and referrals.
- f. SAP reports.
- g. All follow-up tests and schedules for follow-up tests.
- h. Records related to the administration of the alcohol and controlled substances testing program.
- i. A copy of each calendar year summary as required by 49 C.F.R. § 382.403.

2. Three-Year Documents

The Township or its designated provider of DOT alcohol and controlled substances testing services will retain for a period of not less than three (3)

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years information obtained from previous employers under 49 C.F.R. § 40.25 concerning drug and alcohol test result of employees.

3. Two-Year Documents

The Township or its designated provider of DOT alcohol and controlled substances testing services will retain for a period of not less than two (2) years records related to the alcohol and controlled substances collection process (other than calibration documentation which shall be held for five years).

4. One-Year Documents

The Township or its designated provider of DOT alcohol and controlled substances testing services will retain for a period of not less than one (1) year the following records relating to this policy:

- a. Records of negative and canceled controlled substances test results.
- b. Records of alcohol test results with a concentration of less than 0.02.

5. Indefinite Documents

Records related to the education and training of supervisors and drivers must be maintained by the Township while the individual performs the functions which require the training and for two years after ceasing to perform those functions.

C. Confidentiality

1. Except as required by law or expressly authorized or required by the DOT, the Township will not release information contained in records maintained pursuant to DOT regulations.
2. Any covered employee currently employed by the Township may request, in writing, copies of any written records pertaining to their own use of alcohol and/or controlled substances. There will be no charge for these records.
3. A covered employee's alcohol and controlled substance records will be made available to subsequent employers upon receipt of a written request from the covered employee but only to the extent as expressly authorized by the terms of the driver's request.

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4. The Township may disclose information required to be maintained under DOT regulations or this Policy to the decision maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of that individual, and arising from the results of an alcohol and/or controlled substances test or from the Township's determination that the individual engaged in conduct prohibited by this Policy (including, but not limited to, a worker's compensation, unemployment compensation, or other proceeding relating to a benefit sought by the covered employee). Additionally, the Township may disclose information in criminal or civil actions in accordance with DOT regulations.
5. The Township will release information regarding a covered employee's records as directed by the specific, written consent of the employee authorizing release of the information to an identified person.

X. Employee Access to Records

- A. A driver is entitled to obtain copies of any records pertaining to the driver's use of alcohol or controlled substances, including any records pertaining to their alcohol or controlled substances tests.
- B. Procedure to Obtain Records:
 1. To obtain copies of any records pertaining to the driver's use of alcohol or controlled substances, including any records pertaining to their alcohol or controlled substances tests, the driver must submit a written request to the Administrator/Director of Public Works.
 2. The Administrator/Director of Public Works will promptly provide the records requested by the driver.

XI. Right to Inspect

Pursuant to its independent authority as an employer, the Township reserves the right to inspect, investigate, and search for alcohol or controlled substances at any time, with or without prior notice, on or in any and all Township premises and vehicles. Township premises include Township offices, work locations, desks, parking lots and any vehicle engaged in Township operation. Searches of Township premises, including personal effects when entering Township premises and employee vehicles parked at Township premises, may be conducted pursuant to a lawful investigation. Employees have no expectation of privacy regarding illegal drug activities.

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Refusal to cooperate with any inspection, investigation, or search that is authorized by a Township representative will result in termination of employment. The Township may take into custody any alcohol found on Township premises and use it as evidence in disciplinary proceedings. Illegal drugs will be confiscated and turned over to law enforcement officials as appropriate. Employees who refuse to comply with a lawful investigation as described in this policy will be subject to discipline, up to and including termination.

XII. Supervisor Training

The Township will provide supervisors designated to determine whether reasonable suspicion exists with at least sixty (60) minutes of training on alcohol misuse and at least sixty (60) minutes of training on drug use. The training will cover the physical, behavioral, speech, and performance indicators of probable alcohol misuse and drug use.

XIII. Mandatory Reporting of Off-Duty DUI and Drug Offense Arrests and Convictions

- A. Pursuant to its independent authority, the Township requires its employees to report off-duty DUI and drug offense arrests and convictions. Employees must disclose to the Administrator/Director of Public Works by the end of the business day any arrests or convictions for all alcohol or drug-related offenses committed while operating any motor vehicle.
- B. The Township will immediately remove drivers who have engaged in off-duty behavior related to alcohol misuse or controlled substance use from safety sensitive functions and determine:
 - 1. If the driver is fit for duty;
 - 2. If the driver is qualified under DOT regulations to operate a commercial motor vehicle for the Township;
 - 3. If the driver is still insurable at standard rates under the Township's fleet policy; and
 - 4. If the driver can still perform the essential job functions for the position of driver. It is an essential job function of every DOT regulated driver that they be qualified and licensed to operate a commercial motor vehicle without a judicially ordered interlocking device, or similar device as part of a diversion or conviction for an alcohol related offense.
- C. Penalties: If an employee fails to report an off-duty DUI and drug offense arrest or conviction in accordance with this section, the employee will be subject to an

**DRUG AND ALCOHOL POLICY FOR EMPLOYEES
REQUIRED TO POSSESS A
COMMERCIAL DRIVER'S LICENSE (cont'd)**

immediate suspension without pay and disciplinary action up to and including termination of employment.

**NOTICE OF TOWNSHIP OF HOPEWELL
DRUG & ALCOHOL TESTING POLICY
FOR EMPLOYEES REQUIRED TO POSSESS
A COMMERCIAL DRIVER'S LICENSE
&
CERTIFICATE OF RECEIPT**

Attached for your use is a copy of the Township's Drug & Alcohol Testing Policy for Employees Required to Possess a Commercial Driver's License. Please review the Policy carefully to learn, among other things:

- (1) The categories of employees who are covered by the provisions of this Policy;
- (2) The period of the workday during which employees are required to be in compliance with this Policy;
- (3) Specific information concerning conduct that is prohibited by this Policy;
- (4) The circumstances under which an employee will be tested for alcohol and/or controlled substances;
- (5) The procedures that will be used to test for the presence of alcohol and controlled substances, protect the integrity of the testing processes, safeguard the validity of test results, and ensure that those results are attributed to the correct employee;
- (6) The requirement that employees submit to alcohol and controlled substances tests administered in accordance with this Policy;
- (7) An explanation of what constitutes a refusal to submit to an alcohol or controlled substances test and the attendant consequences;
- (8) The consequences for employees found to have violated this Policy, including the requirement that an employee be removed immediately from safety-sensitive functions and, when appropriate, referred to a Substance Abuse Professional; and
- (9) The consequences for employees found to have an alcohol concentration of 0.02 or greater but less than 0.04.
- (10) Procedures to be followed in the event of an accident.

In addition to the Policy, the Township is also distributing educational materials concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life, the signs and symptoms of an alcohol or a controlled substances problem, and available methods of intervening when an alcohol or a controlled substances problem is suspected, including confrontation and/or referral to a Substance Abuse Professional.

The Township designated the Administrator/Director of Public Works to answer questions you may have about this Policy or any of the educational materials. The telephone number for the Administrator/Director of Public Works is 609-737-0605.

I, _____, CERTIFY THAT I HAVE RECEIVED:

- THE TOWNSHIP OF HOPEWELL'S DRUG & ALCOHOL TESTING POLICY FOR EMPLOYEES REQUIRED TO POSSESS A COMMERCIAL DRIVER'S LICENSE, AND
- EDUCATIONAL MATERIALS ON ALCOHOL AND CONTROLLED SUBSTANCES ABUSE.

Employee Name: _____

Employee Signature: _____

Date: _____

Department: _____

Position: _____

Supervisor: _____

**TOWNSHIP OF HOPEWELL
SERVICE AGENT CONTACT INFORMATION**

DESIGNATED EMPLOYER REPRESENTATIVE (DER)

NAME: George Snyder
TITLE: Administrator/Director Public Works
ADDRESS: 201 Washington Crossing-Pennington Road, Titusville, NJ 08560
PHONE: 609-737-0605
E-MAIL: gsnyder@hopewelltp.org

ALTERNATE DESIGNATED EMPLOYER REPRESENTATIVE (DER)

NAME: Susan Newman
TITLE: Human Resources Director
ADDRESS: 201 Washington Crossing-Pennington Road, Titusville, NJ 08560
PHONE: 609-537-0230
E-MAIL: sneyman@hopewelltp.org

MEDICAL REVIEW OFFICER (MRO)

NAME: Ambassador Medical Services
ADDRESS: 651 Route 73 North – 308, Marlton, NJ 08053
PHONE: 856-810-0235

LABORATORY

NAME: MedTox Laboratories
ADDRESS: 402 West County Road D, Saint Paul, MN 55112

SUBSTANCE ABUSE PROFESSIONAL (SAP)

NAME: Mercer Council on Alcoholism and Drug Addition
ADDRESS: 1931 Brunswick Avenue, Lawrence Township, NJ 08648
PHONE: 609-396-5874

CONSORTIUM/THIRD PARTY ADMINISTRATOR (C/TPA)

NAME: Ambassador Medical Services
ADDRESS: 651 Route 73 North—308, Marlton, NJ 08053
PHONE: 856-810-0235

**TOWNSHIP OF HOPEWELL
PREVIOUS PRE-EMPLOYMENT EMPLOYEE ALCOHOL
AND DRUG TEST STATEMENT**

49 CFR 40.25(j) and 49 CFR 382.413: As the employer, the Township of Hopewell must ask the prospective employee whether they have tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the prospective employee applied for, but did not obtain, safety-sensitive transportation work covered by DOT agency drug and alcohol testing rules during the past three years. If the prospective employee admits that they had a positive test or a refusal to test, the Township must not use the prospective employee to perform safety-sensitive functions for the employer, until and unless the prospective employee documents successful completion of the return-to-duty process (see 49 CFR 40.25(b)(5) and (e)). 40 CFR 382.413 requires the Township of Hopewell to request information from all DOT-regulated employers that employed the driver within the previous three years and the scope of the information must date back three years.

Prospective Employee Printed Name: _____

Prospective Employee ID Number: _____

The prospective employee is required by Sec. 40.25(j) to respond to the following questions.

1. Have you tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which you applied for, but did not obtain, safety-sensitive transportation work covered by DOT agency drug and alcohol testing rules during the past three years?

Check one: Yes No

2. If you answered yes, can you provide/obtain proof that you've successfully completed the DOT return to duty requirements?

Check one: Yes No

I certify that the information provided on this document is true and correct.

Prospective Employee Signature: _____ Date: _____

Witness Signature: _____ Date: _____

Record retention guidelines:

- If "yes" to question 1, retain this form and documentation provided for 5 years.
- If "no" to question 1, discard after employment terminates but not less than 2 years from date of statement.

**TOWNSHIP OF HOPEWELL
RELEASE OF INFORMATION FORM
49 CFR PART 40 DRUG AND ALCOHOL TESTING**

Section I. To be completed by the new employer, signed by the employee, and transmitted to the previous employer:

Employee Printed or Typed Name: _____

Employee SS or ID Number: _____

I hereby authorize release of information from my Department of Transportation regulated drug and alcohol testing records by my previous employer, listed in Section I-B, to the employer listed in Section I-A. This release is in accordance with DOT Regulation 49 CFR 40.25 and 49 CFR 382.413. I understand that information to be released in Section II-A by my previous employer, is limited to the following DOT-regulated testing items:

1. Alcohol tests with a result of 0.04 or higher;
2. Verified positive drug tests;
3. Refusals to be tested;
4. Other violations of DOT agency drug and alcohol testing regulations;
5. Information obtained from previous employer of a drug and alcohol rule violation;
6. Documentation, if any, of completion of the return-to-duty process following a rule violation.

Employee Signature: _____ Date: _____

I-A.

New Employer Name: _____

Address: _____

Phone #: _____ Fax #: _____

Designated Employer Representative: _____

I-B.

Previous Employer Name: _____

Address: _____

Phone #: _____

Designated Employer Representative (if known): _____

**TOWNSHIP OF HOPEWELL
RELEASE OF INFORMATION FORM
49 CFR PART 40 DRUG AND ALCOHOL TESTING (cont'd)**

Section II. To be completed by the previous employer and transmitted by mail or fax to the new employer:

II-A. In the three years prior to the date of the employee's signature (in Section I), for DOT-regulated testing:

1. Did the employee have alcohol tests with a result of 0.04 or higher?
Yes No
2. Did the employee have (a) verified positive drug test(s)? Yes No
3. Did the employee refuse to be tested? Yes No
4. Did the employee have other violations of DOT agency drug and alcohol testing regulations? Yes No
5. Did a previous employer report a drug and alcohol rule violation to you?
Yes No
6. If you answered "yes" to any of the above items, did the employee complete the return-to-duty process? N/A Yes No

Note: If you answered "yes" to item 5, you must provide the previous employer's report. If you answered "yes" to item 6, you must also transmit the appropriate return-to-duty documentation (e.g., SAP report (s), follow-up testing record).

II-B.

Name of person providing information in Section II-A: _____

Title: _____

Phone #: _____

Date: _____

TOWNSHIP OF HOPEWELL
GENERAL CONSENT FOR LIMITED QUERIES OF THE FEDERAL MOTOR
CARRIER ADMINISTRATION (FMCSA) DRUG AND ALCOHOL CLEARINGHOUSE

I, _____, hereby provide consent to the Township of Hopewell (the “Township”) to conduct an unrestricted number of limited queries of the FMCSA Commercial Driver’s License Drug and Alcohol Clearinghouse (Clearinghouse) for the duration of my employment with the Township to determine whether drug or alcohol violation information about me exists in the Clearinghouse.

I understand that if the limited query conducted by the Township indicates that drug or alcohol violation information exists about me in the Clearinghouse, FMCSA will not disclose that information to the Township without first obtaining additional specific consent from me allowing for a full query. I understand that I cannot continue to perform any safety-sensitive functions, including driving a commercial motor vehicle, until the Township conducts the full query and the results confirm that my Clearinghouse record contains no prohibitions. (49 CFR 382.701).

I further understand that if I refuse to provide consent for the Township to conduct an unrestricted number of limited queries of the Clearinghouse, the Township must prohibit me from performing safety-sensitive functions, including driving a commercial motor vehicle, as required by FMCSA’s drug and alcohol program regulations.

I also understand that if I refuse to provide consent for the Township to conduct an unrestricted number of limited queries or full queries, as applicable, of the Clearinghouse, the Township, pursuant to its independent authority as an employer, will subject me to disciplinary action up to and including termination of employment.

Name (please print): _____

Signature: _____ Date: _____

**TOWNSHIP OF HOPEWELL
SUPERVISOR'S REPORT OF REASONABLE SUSPICION**

This checklist is to be completed when an incident occurs which provides reasonable suspicion that a driver may be under the influence of drugs or alcohol. Check each applicable item in the proper column.

	a.m.	
	p.m.	
EMPLOYEE NAME	TIME OF INCIDENT	DATE OF INCIDENT
DEPARTMENT HEAD	SUPERVISOR	

Incident Or Cause for Suspicion

<u>Yes</u>	<u>No</u>	
___	___	Observed abnormal or erratic behavior
___	___	Observed or reported possession of a prohibited substance
___	___	Apparent drug or alcohol intoxication
___	___	Arrest or conviction for drug-related offense
___	___	Other (please explain)

Unusual Behavior

<u>Yes</u>	<u>No</u>	
___	___	Extreme aggressiveness or agitation
___	___	Withdrawal, depression, mood changes, or unresponsiveness
___	___	Verbal abusiveness
___	___	Physical abusiveness
___	___	Inappropriate verbal response to questioning or instructions
___	___	Other (please explain)

Physical Signs or Symptoms

<u>Yes</u>	<u>No</u>	
___	___	Possessing, dispensing, or using a controlled substance
___	___	Slurred or incoherent speech

SUPERVISOR'S REPORT OF REASONABLE SUSPICION (cont'd)

- ___ ___ Excessive sweating or clamminess of the skin
 - ___ ___ Unsteady gait or other signs of physical control loss
 - ___ ___ Dilated or constricted pupils or any unusual eye movement
 - ___ ___ Bloodshot or watery eyes
 - ___ ___ Extreme fatigue or sleeping on the job
 - ___ ___ Shaky hands or body tremors
 - ___ ___ Flushed or very pale face
 - ___ ___ Highly excited or nervous
 - ___ ___ Nausea or vomiting
 - ___ ___ Odor of alcohol/marijuana
 - ___ ___ Dizziness or fainting
 - ___ ___ Runny nose or sores around the nostrils
 - ___ ___ Inappropriate wearing of sunglasses
 - ___ ___ Skin puncture marks
 - ___ ___ Other (please explain)
- _____

Description of Events _____

DEPARTMENT HEAD SIGNATURE TIME _____ a.m. p.m. DATE _____

SUPERVISOR SIGNATURE TIME _____ a.m. p.m. DATE _____

**COMMERCIAL MOTOR VEHICLE DRIVER'S
CERTIFICATE OF COMPLIANCE WITH
DOT CELLULAR PHONE/TEXTING BANS**

MOTOR CARRIERS: The restrictions in 49 CFR Part 392 on using a mobile telephone or texting while driving apply to every operator of a "commercial motor vehicle" as defined in 49 CFR 390.5, including interstate vehicles weighing or rated at 10,001 pounds or more, vehicles placarded for hazardous materials, and certain vehicles designed or used for more than 8 passengers (including the driver). In-state operations of vehicles placarded for hazardous materials are also subject to the restrictions. Other in-state-only operations may also be subject, depending on state rules.

DRIVERS: 49 CFR Part 392 of the Federal Motor Carrier Safety Regulations contains restrictions on texting and the use of hand-held mobile telephones while driving a commercial motor vehicle (CMV), including the following:

- **Texting ban (49 CFR 392.80):** Drivers must not manually enter text into or read text from an electronic device while driving a CMV. This includes e-mailing, text messaging, using the internet, pressing more than one button to start or end a phone call, or any other form of text retrieval or entry for communication purposes.
- **Hand-held cell-phone ban (49 CFR 392.82):** Drivers are prohibited from using a hand-held cell phone while driving a CMV. This includes talking on a hand-held phone (including push-to-talk), pressing more than a single button to dial or answer a cell phone, or leaving the normal, seated driving position to reach for a cell phone.

Except as prohibited under Township of Hopewell policy, drivers may use a hands-free phone, a CB radio, a navigation system, a two-way radio, a music player, or a fleet management system for purposes other than texting. Texting and hand-held cell-phone use are **only** allowed if a driver needs to contact emergency services or if a driver has stopped in a safe location off the road.

PENALTIES (49 CFR 383.51, 49 CFR 391.15, 49 CFR Part 386): CDL and non-CDL drivers can be disqualified for 60 up to 120 days and/or face fines of up to \$2,750 for each violation. Township of Hopewell can be fined up to \$11,000 for each violation.

The Township provides this information to its employees to achieve complete compliance with the above-cited regulations. 49 CFR § 386.81.

DRUG EDUCATIONAL INFORMATION

ALCOHOL Depressant

Common Forms:	Beer, wine, hard liquor
How Used:	Oral ingestion, patterns of use vary
Desired Effect:	People drink to relax, to socialize, as a part of a religious ceremony, for the control of physical and emotional pain, or for a variety of other reasons. Its depression of the central nervous system is progressive and continuous. It is a mood-modifying drug that usually provides a temporary feeling of mild euphoria and stimulation. This is a result of the initial depression of the higher centers of the brain which control inhibition. The more you drink, the more sedated you become.
Time In Body:	Depends on many factors, such as body size, amount of alcohol consumed within an hour, and other individual factors. Performance is effected in relation to the amount consumed. Generally, a medium-sized person eliminates the equivalent of one drink per hour. However, "hangover" effects of alcohol have been documented for as long as 14 hours after consuming an intoxicating dose, well after the blood alcohol levels have returned to zero.
Observable Effects:	Staggering gait Slurred speech Odor of alcoholic beverage Shaky hands Poor eye-hand coordination Slowed reaction time Eyes react slowly to light - wears sunglasses
Work Behavior:	Arrive late, leave early, mis-outs Neglect of physical appearance Restlessness Tremors (hands, face, fingers, lips tongue) Slurred speech Uninhibited - makes inappropriate remarks
Material Indicators:	Empty liquor bottles, cans, often in paper bags Flasks, sometimes disguised as other things
Slang Terms	Booze, juice, hooch, grape, eye-opener, hair-of-the-dog, brew, suds, etc.

AMPHETAMINES (AMPHETAMINE AND METHAMPHETAMINE)
Stimulant

Common Forms:	Amphetamine - usually capsules or white, flat, double-scored pills. Methamphetamine - white or granular powder, often packaged in aluminum foil or plastic bags.
How Used:	Orally, sniffed up the nose, or injected
Desired Effect:	Most common sought after-effects include euphoria, postponement of fatigue, increased energy, alertness and feelings of personal power. Repeated or chronic use often causes a strong dependence reaction and a schizophrenic loss of contact with reality. Users coming off the drug experience extreme fatigue-induced sleep ("crash"), often followed by continued fatigue and depression.
Time In Body:	Injection or sniffed up the nose; "rush" felt within 1 minute. Orally, effects felt within about ½ hour. Single doses detectable for about 48 hours.
Observable Effect:	Dilated pupils. Flushed face, rapid respiration, profuse sweating. Hyper-excitability, talkativeness, restlessness. "Stereotypic" behavior often seen: person engages in repetitive tasks or mannerisms for extended periods. In large doses, inability to concentrate, confusion, panic.
Work Behavior:	Try to do job beyond competence level. Impaired ability to operate equipment. Takes chances, risks.
Material Indicators:	Pills, capsules, white powder, granular crystals Foil wrapped tubes, baggies. Hypodermics and paraphernalia for injections
Slang Terms:	Defies, bennies, speed, crank, ice, crystal, white crosses, black beauties

COCAINE

Stimulant

Common Forms:	Cocaine - White crystalline powder. Free-base cocaine (crack) - white granular "rocks"
How Used:	Cocaine--usually snorted up the nose through a straw or from a "coke spoon" after being chopped to a fine powder with a razor blade. "Crack" -- freebase cocaine--is a processed version which is vaporized in a pipe and inhaled. Either form may also be injected.
Desired Effect:	Most common sought after-effects are euphoria, stimulation, postponement of fatigue and feelings of personal power. The "high" lasts approximately one hour, with a "down" follow-on period. Psychological and physical dependence to "crack" after one to two uses; dependency to snorted coke takes longer to develop.
Time in Body:	Single doses detectable for 12-24 hours
Observable Effects:	Dilated pupils. Talkativeness, restlessness. Sniffing, runny nose, irritated or bloody nose. Dramatic mood swings, from "down" to "up" in minutes. Sense of power sometimes manifested in aggressiveness
Work Behavior:	Frequent trips "to the restroom"—secluded place. Frequent sick-outs and unexplained absences. Hyper-excitability and over-reaction to stimulus. Isolation/withdrawal from friends and activities. Financial problems--borrows, steals and/or sells to support habit. Insomnia, restlessness, lack of sleep
Material Indicators:	Small folded paper envelopes (bindles), plastic bags, small vials used to store drug. Razor blades, mirrors, cut off straws, coke spoons. Small glass pipes, and heat sources used to volatilize crack.
Slang Terms:	Coke, snow, toot, crack, blow, happy dust, "C"

MARIJUANA

Common Forms:	Dried green-brown flowers and leaves of the hemp (cannabis) plant--also as compressed tar like lumps (hashish) and sometimes as an oil to be spread on cigarettes (hash oil).
How Used:	Generally smoked in hand-rolled cigarettes (joints) or a small pipe, sometimes eaten in baked goods or steeped to make a tea.
Desired Effects:	Effects are dependent on the user and potency of the plant. Low doses tend to produce a dreamy state of relaxation and euphoria with changes in sensory perceptions (usually intensified) and alteration in thought formation and expression. Higher doses intensify these reactions with fragmentation of thought, memory impairment, shortened attention span, and illusions of insight. Marijuana currently sold on the street is 10 times more potent today than in past years.
Time In Body:	Marijuana dissolves in body fat cells and is detectable for extended periods of time--up to seven (7) days for occasional users and four (4) weeks or longer for chronic users
Observable Effects:	Red bloodshot glassy eyes (users often wear dark glasses and use eye drops to combat). Poor muscular control. Rambling, disconnected speech patterns. Euphoria--as laughing out of context. Getting "hung up" - i.e., going into the bathroom to comb your hair and coming out two hours later. Distinctive odor in air and/or on clothing.
Work Behavior:	Lack of attention, vision and auditory changes, and poor muscular control. Inability to respond to emergencies and sudden situational changes. Frequent sick-outs and mis-outs. Lackadaisical "I don't care" attitude about person and work. Chronic health problems for frequent users--persistent cough, fatigue, frequent sickness.
Material Indicators:	Baggies of green-brown vegetable matter; rolling papers; small pipes (for marijuana) and very small pipes (for hashish); "roach clips" to hold the burned end of the marijuana cigarette; "roaches" discarded on the floor or in ash trays; distinctive odor of marijuana in the air.
Slang Terms:	Dope, grass, reefer, weed, ganja, pot, etc.

OPIOIDS (MORPHINE AND CODEINE)
Narcotic Depressant

Common Forms:	Street forms are pills, liquids and powders. Morphine is derived from opium. Opium dissolved in alcohol, containing 10% morphine, is legally available in many states as "paregoric." Morphine and codeine are widely used medicinally. Morphine is a naturally occurring alkaloid and is also found in products containing poppy seeds. Heroin is a semi-synthetic derivative of morphine.
How Used:	Opium is usually smoked. Codeine is usually taken orally. Heroin and morphine are injected; powders can be snorted; cigarettes can be dipped in paregoric and smoked.
Desired effects:	Most common sought after-effects include euphoria, relief from pain, and a feeling of dissociated well-being. Low maintenance doses allow the addict to function daily. The heroin user experiences a "rush" described as a very pleasurable whole-body reaction lasting 5-10 minutes, followed by several hours of mental and physical relaxation.
Time In Body:	Single doses are usually detectable for 48-72 hours.
Observable Effects:	Pinpoint pupils. Sweating, nausea, vomiting in novice users. "Nodding off"--the head drooping toward the chest, then bobbing up. Overly calm, detached facial expression. Confusion, mental dullness and slurred speech. Needle marks over veins.
Work Behavior:	Increased sick-outs, mis-outs. Lack of interest in work, no attention to detail. Sharing of needles brings a high risk of contracting hepatitis and/or AIDS. High cost of the addiction may lead to borrowing money, stealing and selling (on or off the premises).
Material Indicators:	Foil or paper "bindles" for holding the drug. Charred spoons or bottle caps, used to cook the drug. Multiple burned matches used to cook the drug. Needles, syringes, eye droppers used for injection. Balloons or prophylactics used to hold drug. Bloody tissue papers, blood on shirt sleeves.
Slang Terms:	Heroin, dope, smack, shit, hard stuff, "H", china, monkey dust, china white, etc.

Phencyclidine (PCP)

Common Forms:	Pills, liquid, powder, and PCP cigarettes
How Used:	Usually smoked with tobacco or marijuana, but may be injected, swallowed, eaten or snorted.
Desired Effects:	Users report desirable feelings of immobility, numbness, and detachment. Other sought-after effects include feelings of strength, power, and invulnerability, a dream-like detachment from reality (often coupled with lack of coordination).
Time In Body:	Usually detectable 1- 8 days, but chronic users may test positive for several weeks following the last dose.
Observable Effects:	<p>Low doses: Sedated, euphoric, uncoordinated behavior. Wide mood swings. Sparse and purposeless speech. Muscle rigidity and jerky eye movements (nystagmus).</p> <p>High doses: Coma-like states with muscle rigidity and staring, half-closed eyes. Sudden stimuli may send the user into a psychotic state, with extreme agitation, violent behavior, abnormal strength, and inability to speak or comprehend.</p>
Work Behavior:	Wide mood swings, unpredictable behavior, aggressive. Tremendous liability in the work force.
Material Indicators:	Cigarettes that look as if they have been wet. Crystals, liquids or powders in small vials. Folded aluminum foil or paper packets.
Slang Terms:	PCP, angel dust, hog, dust, DOA, shermans, sherms, peace pills, dummy, etc.

