

How to Follow the DOT's Return-to-Duty Process

The Department of Transportation (DOT) has detailed regulations surrounding drug and alcohol incidents involving commercial drivers — including for getting them back behind the wheel. **Your drivers are required to go through the DOT's return-to-duty process if:**

THE DRIVER:

- Tested positive on a DOT drug test,
- Failed a DOT alcohol test, or
- Refused a DOT-required drug or alcohol test.

YOU, THE MOTOR CARRIER, HAVE ACTUAL KNOWLEDGE OF THE DRIVER'S ALCOHOL CONSUMPTION:

- Within four hours of coming on duty,
- While on duty, or
- During the immediate eight hours following a commercial motor vehicle (CMV) crash.



YOU HAVE ACTUAL KNOWLEDGE THAT THE DRIVER USED A DRUG THAT:

- Is listed on Schedule I (e.g., marijuana); or
- Is a non-Schedule I drug that affects the driver's ability to safely operate a CMV. (It is **not** a violation if the prescribing physician told the driver it would be safe to use while on duty.)



7

STEPS OF THE PROCESS



1

IMMEDIATE RESPONSE

- **Remove your driver from all safety-sensitive functions** — including driving— as soon as they test positive for drugs/alcohol, refuse a test or you have actual knowledge of their drug/alcohol use.
- **Report the violation to the Drug & Alcohol Clearinghouse** when required.
- **Provide the driver with a list of substance abuse professionals (SAPs)** to schedule an evaluation and treatment.



2

SAP EVALUATION

- **The driver must schedule a face-to-face evaluation** with a qualified SAP to determine the necessary treatment/education.
- **The driver must designate the SAP** in their personal Clearinghouse account.



3

TREATMENT/EDUCATION

- **The driver must complete the treatment/education program** as prescribed by the SAP.



4

FOLLOW-UP EVALUATION

- **The driver must undergo a follow-up evaluation** by the SAP who determines if the driver was successful in completing the treatment/education plan.
- **If successful**, the SAP enters the completed steps in the driver's Clearinghouse profile and the driver is then eligible to return to duty.
- **If unsuccessful**, the SAP recommends continued treatment/education.



5

SAP REPORT

- **The SAP issues a report to your designated employer representative (DER)** listing the number of DOT follow-up drug/alcohol tests required in a given timeframe or continuing treatment/education, if required.



6

RETURN-TO-DUTY TESTING

- **Your DER schedules a return-to-duty drug/alcohol test** for the driver if the SAP report confirms the treatment/education was completed.
- **Upon a successful return-to-duty test**, report it to the Clearinghouse in order for the driver's prohibited status to be removed.
- **Notify your driver they can resume safety-sensitive functions** once the Clearinghouse no longer shows an unresolved testing violation.
- **Refer your driver back to the SAP in the event of a positive test.**



7

FOLLOW-UP TESTING

- **Conduct the follow-up testing plan** as recommended in the SAP report (a minimum of six tests within 12 months).
- **Continue to conduct all other DOT-required tests** (e.g., random, post-accident) as normal.
- **Report to the Clearinghouse** when the follow-up testing program is complete.

**Make Compliance Easy & Get Test Results Fast with
J. J. Keller's DOT Drug & Alcohol Program Management Service**

[JJKellerDataSense.com/da-service](https://www.JJKellerDataSense.com/da-service) | 888.473.4638