



CONTROLLED SUBSTANCES, ALCOHOL USE AND TESTING

Drivers who drive under the Covered Farm Vehicle are **not required** to have a CDL (may have a class A or B Non-CDL) and are exempt from 49 CFR 382.

All CDL drivers operating Commercial Motor Vehicles (CMVs) (greater than 26,000 GVWR, or transporting more than 16 passengers, including the driver, or placarded hazardous materials) on public roadways must be DOT drug and alcohol tested. This applies to any driver **required** to possess a CDL, including those employed by Federal, State, and local government agencies, "owner operators", and equivalently licensed drivers from foreign countries. Part-time drivers must also be included in an employer's drug and alcohol testing program. Drivers who only operate CMVs on private property, not open to the public, do not require testing.

Drivers who drive under the Covered Farm Vehicle (CFV) are not **required** to have a CDL and are exempt from 49 CFR 382.

Farmers that do not fall under the CFV exemption will need to include all CDL drivers into a drug testing program. Illinois Farm Bureau has had a long-standing relationship with Midwest Truckers Association for our members to utilize their drug and alcohol testing program.

CDL Drivers that are required to be in a drug and alcohol testing program must be given a policy and informed about the testing policy. A signed certification must be kept on file that the driver received and was informed of the policy.

NEW DRUG & ALCOHOL CLEARINGHOUSE

The Federal Motor Carrier Safety Administration (FMCSA) established the Commercial Driver's License (CDL) Drug and Alcohol Clearinghouse (Clearinghouse). This new database contains information pertaining to violations of the U.S. Department of Transportation (DOT) controlled substances (drug) and alcohol testing program for holders of CDLs.

The Clearinghouse final rule requires the following:

- Employers must query the Clearinghouse for current and prospective employees' drug and alcohol violations before permitting those employees to operate a commercial motor vehicle (CMV) on public roads.
- Employers must annually query the Clearinghouse for each driver they currently employ.

For more information on the Clearinghouse, please visit <https://clearinghouse.fmcsa.dot.gov/>

Those that drive under the CFV exemption are exempt from the clearinghouse requirement.

Note: Illinois Law effective January 1, 2020 legalizes recreational use of marijuana. Federal law does not recognize legalization of marijuana and specifically restricts use of marijuana for drivers of CMVs. This is a Zero tolerance policy.