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# **DRUG AND ALCOHOL POLICY**

## **Revised March, 2017**

## **1. Individuals Subject to Testing**

All students of Pegasus Corporation Commercial Motor Vehicle Driver Training Program are subject to the Department of Transportation rules and regulations as described in 49 CFR, Parts 382 & 391.

Under the Uniform Commercial Driver's Act (49 CFR, Part 382), operating a commercial motor vehicle within Washington State with a controlled substance in your system is illegal.

This part applies to every person and to all employers of such persons who operate a commercial motor vehicle in commerce in any State... (§382.103).

## **2. Safety Sensitive Functions**

All drivers are considered to be performing safety sensitive functions during any period in which they are actually performing, ready to perform, or immediately available to perform as a driver of a commercial motor vehicle. These functions are further defined as:

1. Time at a terminal, facility or other property waiting to be dispatched.
2. Time inspecting equipment as required or servicing/conditioning a motor vehicle.
3. Driving.
4. Time spent in or on any commercial vehicle.
5. Time spent loading or unloading a vehicle or remaining in readiness to operate a vehicle.
6. Time spent supervising or assisting loading or unloading a vehicle.
7. Time spent attending a vehicle being unloaded.
8. Time spent performing driver requirements relating to accidents.
9. Time spent repairing, obtaining assistance or remaining in attendance upon a disabled vehicle.
10. Time spent providing a breath or urine sample in compliance with the requirements of Part 382

## **3. Prohibited Conduct**

Federal Motor Carrier Safety Regulations prohibit the following conduct, specifically, all drivers who are performing safety sensitive functions must comply with the following:

1. No driver shall report for duty or remain on duty while having an alcohol concentration of 0.02 or greater.
2. No driver shall possess alcohol, unless the alcohol is manifested and transported as part of a shipment.
3. No driver shall use alcohol while performing safety sensitive functions.
4. No driver shall perform safety sensitive functions within four hours of using alcohol.

5. No driver required to take a post accident alcohol test shall use alcohol for eight hours following the accident, or until he or she undergoes a post accident alcohol test, whichever occurs first.
6. No driver shall refuse to submit to a post accident; random; reasonable suspicion; or follow-up, alcohol or controlled substances test.
7. No driver shall report for duty or remain on duty when the driver uses any controlled substance. An exception is when the use of the controlled substance is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle. (The employer may require a driver to inform the employer of any therapeutic drug use.) Note: the use of another individual's prescription medicine may be considered prohibited controlled substance use.
8. No driver shall report for duty, remain on duty, or perform a safety sensitive function, if the driver tests positive for controlled substances.

#### 4. Types of Required Tests

The following alcohol and controlled substance tests will be performed. In order for the driver to be allowed to perform safety sensitive functions, a negative result for controlled substances and an alcohol concentration of less than 0.02 will be necessary. (a concentration between 0.02 and 0.039 will result in a 24-hour disqualification. A concentration of 0.04 will result in a positive test)

1. **Pre enrollment** - administered prior to a student performing safety sensitive functions for the first time for Pegasus Corporation. (controlled substances testing only).
2. **Post accident** - administered as soon as practicable, following an accident involving a commercial motor vehicle, if there is a fatality, or if the driver is cited for a moving traffic violation. (testing must be performed for alcohol within 8 hours of the accident, and other controlled substances within 32 hours).
3. **Random** - administered if a student's name is selected in a random drawing, conducted periodically throughout the year. Drivers notified of a random selection must submit immediately for testing (**must be performed within 2 hours of notification**). **Pegasus Corporation** will be under contract with a consortium. This Consortium will provide computerized random donor selection, testing at least 10% of drivers for alcohol per year and 50% of drivers for drugs per year.
4. **Reasonable suspicion** - administered if Pegasus Corporation has reasonable suspicion to believe the driver is in violation of any of the prohibitions listed above.
5. **Return to duty** - Administered prior to a driver returning to duty, following a "positive" controlled substances or alcohol test. We must also administer a return to duty test if a driver is disqualified from the random pool for any reason, and then re-enters the random pool.

## **5. Testing Procedures and Substances Tested**

### **A. Controlled Substances**

1. Marijuana
2. Cocaine
3. Opiates
4. Amphetamines
5. Phencyclidine

### **B. Testing Methodology**

All testing will be performed with procedures that are outlined in the Code of Federal Regulations, Parts 40.1 through 40.111. These procedures are designed to protect the driver, maintain integrity in the testing process and safeguard the validity of the test results.

#### **1. Appropriate Laboratory**

All urine specimens to be tested for the presence of substances must be analyzed by a laboratory certified under the DHHS Mandatory Guidelines for Federal Workplace Drug Testing Programs. All drug tests required by FHSA and Pegasus Corporation will be shipped for analysis to the laboratory listed below:

**Whatcom Occupational Health  
3010 Squalicum Parkway  
Bellingham, WA, 98225  
360/676-1693**

#### **2. Initial Screen**

All urine specimens will be initially tested for the use of controlled substances by an immunoassay screen, which will eliminate negative urine specimens from further consideration. Any positive results in an initial test will be subject to confirmation through an additional, more precise and accurate testing methodology.

The cut-off levels set forth below (Section 40.87) will be used for the initial screening of specimens to determine whether they are negative for the following drugs:

- a. Marijuana metabolites-50 Ng/ml
- b. Cocaine metabolites-300 Ng/ml
- c. Phencyclidine-25 Ng/ml
- d. Amphetamines-1000 Ng/ml
- e. Codeine – 2000 Ng/ml

### 3. Confirmatory Tests

Any urine specimen identified as positive on the initial test screen will be confirmed by a second analytical procedure independent from the initial test and which uses a different chemical technique and procedure. The appropriate laboratory will use gas chromatography/mass spectrometry to confirm initial positive test results.

The cut-off levels set forth below will be used to establish the existence of a “confirmed positive” test result:

1. Marijuana metabolites-15ng/ml  
(delta 9-tetrahydrocannabinol-9-carboxylic acid)
2. Cocaine metabolites-150 ng/ml  
(benzoylecgonine)
3. Phencyclidine-25 Ng/ml
4. Amphetamines  
Methamphetamine-500 Ng/ml  
Amphetamine-500 Ng/ml
5. Opiates  
Codeine-2000 Ng/ml  
Morphine –2000 Ng/ml

### 4. Adulteration, Dilution, Substitution

Pursuant to 49CFR Part 40, DOT will make validity testing mandatory. Laboratories will test all incoming primary specimens for dilution, substitution, and adulteration.

### 6. Refusal to Test

Under §382.211, no driver shall refuse to submit to any required alcohol or controlled substances test, including pre-enrollment, post accident, random, reasonable suspicion, or follow-up tests. A refusal to submit to a test will carry the same consequences, and be treated in the same manner as a **confirmed** positive test. Students will be immediately removed from safety sensitive operations, and removed from the Commercial Driver Program as per policies and procedures.

## **7. Consequences of Prohibited Conduct**

### **A. Controlled Substance**

Any student who engages in conduct prohibited by Part 382 will be immediately removed from performing any safety sensitive function. In addition, the student will be subject to termination from his/her enrollment in the Commercial Driver Program as per policies and procedures. Reinstatement into the program will be subject to the student submitting to a treatment needs assessment by an authorized Substance Abuse Professional, and following and completing the recommended treatment (at the student's expense). In addition, the student will be required to submit to a Return To Duty controlled substance and/or alcohol test, as well as follow up tests as required under §382.311. The student will then be required to re-apply for admittance into the Commercial Driver Program, and pay all required fees.

### **B. Alcohol**

Any student who is found to have an alcohol concentration of more than 0.02 but less than 0.04 as a result of any required test, will be suspended from driving duties for twenty-four (24) hours and will be advised to seek counseling from a substance abuse professional. Any student who is found to have an alcohol concentration of more than 0.04 as a result of any required test, will be discharged from his/her enrollment in the Commercial Driver Program as per policies and procedures.

## **8. Information**

The following paragraphs contain information regarding the symptoms and effects of the use of alcohol and controlled substances. All employees are encouraged to be familiar with this document and with the requirements of the Federal Motor Carrier Safety Regulations, Parts 382 and Part 40.

### **Alcohol and Controlled Substances Physical Symptoms, Uses and Effects**

#### **❖ General Signs of Abuse of alcohol and controlled substances include:**

- Tardiness or absenteeism
- Borrowing money from co-workers
- Problems with relationships
- Increased irritability
- Decreased attention span
- Difficulty remembering instructions
- Taking criticism personally
- Denial of any problem
- Paraphernalia present

❖ **Types of paraphernalia:**

- Roach clips
- Cigarette papers
- Pipes, bongs
- Razor blades, small mirrors
- Small spoons and straws
- White powder
- Syringes; needles
- Eye droppers
- Rubber tubing

***Marijuana***

**Physical Symptoms**

Red eyes  
Pale face

Strong odor, like burning rope  
Loud, boisterous in early stages  
Sleepy, stuporous in later stages  
appetite;

***Cocaine***

**Physical Symptoms**

Runny nose; nasal problems  
anesthetic

Dizziness  
Dilated pupils  
Dry mouth and nose

blood  
appetite  
Bad breath; frequent lip licking

Lack of interest in food and sleep

***Opiates***

**Physical Symptoms**

Drowsiness; lethargy  
medicine  
Slurred speech

Constricted pupils  
Needle scars  
orally

**Uses and Effects**

Some medical uses for THC  
Effect lasts 2-4 hours; stays in  
system for several days/weeks;  
stored in fat tissue cells  
Smoked or taken orally  
Causes euphoria; increased

disoriented behavior; relaxed  
inhibitions; negative effect on  
peripheral vision  
Overdose can cause fatigue;  
paranoia; not fatal

**Uses and Effects**

May be used as a local  
Needle marks on arms  
Highly addictive  
Effect lasts 1-2 hours  
Sniffed, smoked or injected  
Increased alertness; euphoria;  
excitation; increased pulse and  
pressure; insomnia; loss of

Overdose can cause agitation;  
hallucination; convulsions;  
possible death

**Uses and Effects**

Used as pain killer; cough

Highly addictive (codeine is  
moderately addictive)  
Effect lasts 3-6 hours  
Sniffed, injected, smoked, taken

Loss of appetite  
nausea  
Nausea ; flushed face  
shallow  
convulsions;

### ***PCP***

#### **Physical Symptoms**

Increased heart rate/blood pressure  
Flushing, sweating, dizziness,  
numbness, drowsiness, pupils dilated  
Smoked, injected, taken orally  
Rigid muscles, deadened actions  
Symptoms of intoxication  
intense without smell of alcohol

### ***Amphetamines***

#### **Physical Symptoms**

Increased heart and breathing  
Rates; narcolepsy;  
High blood pressure; high fever  
Dilated pupils  
Decreased appetite; dry mouth  
Sweating; headache; blurred  
Unable to sleep, increased alertness,  
pulse, and blood convulsions; possible death  
vision; dizziness,  
pressure; insomnia;  
loss of appetite;

### ***Alcohol***

#### **Physical Symptoms**

Sloppiness

Slurred speech  
Trouble walking  
Has the "shakes"  
Blackouts

Hangover (headaches)  
Smell of alcohol

Causes euphoria; drowsiness;

Overdose can cause slow,  
breathing; clammy skin;  
possible death

#### **Uses and Effects**

No medical uses  
Highly addictive; effect lasts  
several days

Causes illusions; hallucinations  
Overdose may cause more  
trips; possible death

#### **Uses and Effects**

Used for weight control; to treat  
attention deficit disorder  
Highly addictive  
effect lasts 2-4 hours  
Injected or taken orally  
euphoria; excitation  
Overdose may cause agitation;

#### **Uses and Effects**

Limited medicinal use; over the  
counter sleep aids; cough syrups  
Addictive; may be genetic  
Moody, emotionally unstable  
Accident-prone  
Withdrawn; may be violent; overly  
talkative

# Alcohol and Controlled Substance Student's Certificate Receipt

Students' Name  
Pegasus Corporation

Company

This is to certify that I have been provided educational materials that explain the requirements of section 382.601 and Pegasus Corporations' policies and procedures with respect to meeting the requirements. The materials include detailed discussion of the following checked items:

- \_\_\_ 1. The designated person to answer questions about the materials.
- \_\_\_ 2. The categories of drivers subject to Part 382.
- \_\_\_ 3. Sufficient information about the safety-sensitive functions and periods of the Work day that compliance is required.
- \_\_\_ 4. Specific information concerning prohibited driver conduct.
- \_\_\_ 5. Circumstances under which a driver will be tested.
- \_\_\_ 6. Test procedures, driver protection and integrity of the testing process, and safeguarding the validity of the test.
- \_\_\_ 7. The requirements that test are administered in accordance with Part 382.
- \_\_\_ 8. An explanation of what will be considered a refusal to submit to a test and the consequences.
- \_\_\_ 9. The consequences of Part 382 Subpart B violations including removal from safety-sensitive functions and section 382.605 procedures.
- \_\_\_ 10. The consequences for drivers found to have an alcohol concentration of 0.02 or greater but less than 0.04.
- \_\_\_ 11. Information on the affect of alcohol and controlled substances use on:
  - an individual's health
  - signs and symptoms of a problem
  - work
  - personal life
  - available methods of intervening when a problem is suspected
- \_\_\_ 12. I have also received a minimum of 1 hour of instructional videos, which explain in detail the effects of alcohol and controlled substances use on the areas mentioned in section 11 of this form.

**NAME OF VIDEO:** \_\_\_\_\_

- \_\_\_ 13. **Contact information:** **Alfred Portillo- President**  
**Pegasus CDL, Inc.**  
**4722 Pacific Hwy**  
**Bellingham, WA 98226**  
**(360)318-7617 alfred@pegasuscorp.us**

\_\_\_\_\_  
**Students' Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Authorized Employer Representative**

\_\_\_\_\_  
**Date**

Students' Copy of Receipt

# Alcohol and Controlled Substance Employee's Certificate Receipt

Students' Name

**Pegasus Corporation**

Company

This is to certify that I have been provided educational materials that explain the requirements of section 382.601 and Pegasus Corporations' policies and procedures with respect to meeting the requirements. The materials include detailed discussion of the following checked items:

- \_\_\_ 1. The designated person to answer questions about the materials.
- \_\_\_ 2. The categories of drivers subject to Part 382.
- \_\_\_ 3. Sufficient information about the safety-sensitive functions and periods of the workday that compliance is required.
- \_\_\_ 4. Specific information concerning prohibited driver conduct.
- \_\_\_ 5. Circumstances under which a driver will be tested.
- \_\_\_ 6. Test procedures, driver protection and integrity of the testing process, and safeguarding the validity of the test.
- \_\_\_ 7. The requirement that tests are administered in accordance with Part 382.
- \_\_\_ 8. An explanation of what will be considered a refusal to submit to a test and the consequences.
- \_\_\_ 9. The consequences of Part 382 Subpart B violations including removal from safety-sensitive functions and section 382.605 procedures.
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Pegasus CDL, Inc.  
4722 Pacific Hwy  
Bellingham, WA 98226  
(360)318-7617 alfred@pegasuscorp.us**

\_\_\_\_\_  
Students' Signature

\_\_\_\_\_  
Date

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Authorized Employer Representative

\_\_\_\_\_  
Date