

	Pre-Employment	Random	Post-Accident	Reasonable Suspicion	Return to Duty	Follow-up
FMCSA ⁵	<p>Must document negative breath test for ETOH before placing in safety sensitive position (Alcohol Testing is not required, only optional for pre-employment, post offer)</p> <p>49 CFR 382.301(b) permits exemption of a driver from testing if the driver has participated in a controlled substances testing program within the previous 30 days. From 6/05/20 through 9/30/20 FMCSA has granted a waiver extending this exemption from 30 days to 90 days.⁹</p>	With documentation of rationale, FMCSA will accept delay so long as the 10% test rate is met within a year.	If unable to perform a breath test within 8 hours, employer to document efforts made and reasons they were unsuccessful in writing.	If unable to test, document reasons in writing.	Must document negative breath test for ETOH before placing in safety sensitive position	If unable to test, document reasons in writing.
FAA ⁶	Must document negative breath tests for ETOH before placing in a safety sensitive position.	With documentation of rationale, FAA will accept delay so long as 10% test rate met within year	No COVID-19-specific guidance	No COVID-19-specific guidance	Must document negative breath tests for ETOH before placing in a safety sensitive position.	Must document negative breath test for ETOH before placing in safety sensitive position.

PHMSA ⁷	Agency will exercise enforcement discretion	Agency will exercise enforcement discretion	No COVID-19-specific guidance	No COVID-19-specific guidance	No COVID-19-specific guidance	No COVID-19-specific guidance
USCG ⁸	Not required	Not required	Must perform	Must perform		
FRA	Permitted, but not required.	Can defer for med. Emergency – which could include, COVID positivity, Exposure and Quarantine, or suspected infection and isolation. “A railroad that is unable to complete a collection for each selection made during a designated testing period may increase the number of selections in a subsequent selection period to ensure that it meets the annual minimum random testing rate for the calendar year”	Post-accident testing must always be completed, regardless of delay (except that an employee may not be recalled for testing if more than 24 hours have passed since the qualifying event).	Mandatory, If cannot complete within 8 hrs, must document why	No COVID-19-specific guidance	No COVID-19-specific guidance

9 <https://www.fmcsa.dot.gov/sites/fmcsa.dot.gov/files/2020-06/Waiver%20-%20Preemployment%20testing%20-%20FINAL%20-%20June%205.pdf>