

FAA - First-duty history check

Source checked October 7, 2026.

Before assigning covered work

- Confirm the person and assignment are covered by this agency's program. A negative test does not settle program coverage or prior-history eligibility.
- Obtain specific written consent for the required prior-employer inquiry. If consent is refused, do not permit safety-sensitive work.
- Ask DOT-regulated employers who employed the person during the two years before application or transfer for alcohol results of 0.04 or higher, verified positive drug results, refusals, other DOT testing violations, and successful return-to-duty/follow-up documentation. Send the written consent to each employer.
- Include relevant history passed along by earlier employers. If a previous employer lacks return-to-duty documentation, seek it from the employee.
- Separately ask about positive or refused DOT pre-employment drug/alcohol tests during the past two years for transportation jobs applied for but not obtained.

Timing and eligibility gates

Situation	Required action
Feasible before first covered duty	Obtain and review the information before duty.
Not feasible before duty	Obtain and review as soon as possible.
More than 30 days after first covered duty	Do not continue covered work unless information is obtained or good-faith efforts to obtain it are made and documented.
Known prior violation or admission of a covered failed/refused pre-employment test	Do not permit covered duty without documentation of successful applicable return-to-duty compliance. The 30-day provision and a fresh negative do not erase this gate.
Ongoing follow-up plan	Obtain the plan and completed-test history; implement the remaining requirements.

When another employer requests your records

Review the employee's specific written consent. Immediately release the required information confidentially. Keep a written log of the release date, recipient and information supplied.

Retain the confidential information or documented good-faith efforts for three years from first covered duty with your employer.

Keep the Part 40 inquiry separate from applicable pilot-record obligations and FAA medical or permanent-disqualification gates.

49 CFR 40.25 · 49 CFR 40.307

FAA - Dated collection-readiness card

Checked October 7, 2026. Recheck before changing specimen method or provider arrangements.

Regulatory permission is not operational readiness

The DOT oral-fluid laboratory page inspected on this date still displays no HHS-certified oral-fluid laboratories. The page's displayed update date is December 5, 2024. Its current published gate requires at least two HHS-certified oral-fluid laboratories before DOT oral-fluid testing can begin. Do not treat an oral-fluid device advertisement or the existence of a regulation as proof that your testing network is ready.

Before enabling oral-fluid testing, verify the current DOT/HHS laboratory listing, a primary and a different split-specimen laboratory, the laboratory's approved collection device, and qualified collection personnel. Use the current Part 40 procedures for the actual situation. Arrange a compliant available method; do not improvise a non-DOT test as a substitute.

Confirm the people and order

- Confirm the correct agency, test reason, specimen method, employee identifiers, collection instructions and current MRO contact information.
- Verify the collector or alcohol technician's required qualifications and any supervisor conflict restrictions.
- Apply Part 40 immediate-supervisor conflict limits. The supervisor who makes an FAA reasonable-suspicion alcohol determination cannot conduct that employee's breath test.
- Keep a usable after-hours route, required observation arrangements, and a backup collection option as recommended operational controls.
- Apply the FAA geographic and laboratory restrictions; the common core's general discussion of foreign laboratories does not override FAA limits.

[DOT oral-fluid laboratories and devices](#) · [DOT laboratories](#) · [DOT collector rules](#)

For the geographic rules, consult [14 CFR 120.123 - drug testing](#) and [14 CFR 120.227 - alcohol testing](#). Preserve their express exception for persons testing pursuant to [120.1\(d\)](#), the foreign-repair-station provision with a December 20, 2027 applicability date; do not apply an unqualified universal foreign-testing ban.

FAA - Testing decisions reference

Sources checked October 7, 2026.

Obtain the Hiring Drug Result

Conduct the required pre-employment drug test and receive a verified negative before hiring an individual for a covered function or transferring someone from noncovered to covered duties. Notify the individual of the testing requirement. If more than 180 days pass between the test and the covered hire or transfer, conduct another test and receive a verified negative. The rule also permits a test for a returning former covered worker when the employer is not otherwise required to pre-employment test and removed the worker from its random program for reasons other than a positive FAA test or refusal. If that permitted test is elected, obtain the negative before return.

Set Preemployment Alcohol Policy

Pre-employment alcohol testing is optional under the aviation rule. If the employer chooses it, test every covered new hire and transfer consistently, after a contingent offer and before first performance of covered functions. Use Part 40 procedures. The result must be below 0.04, but a result from 0.02 to below 0.04 still prevents covered work until the concentration is below 0.02 or the next regularly scheduled duty period begins, at least eight hours after the test. Do not read below 0.04 as unrestricted clearance. This restriction differs from the violation and substance abuse professional pathway taught in the next module.

Use the Current Random Rates

For calendar year 2026, FAA minimum random rates are twenty-five percent for drugs and ten percent for alcohol. Verify the official notice each year. Measure compliance using qualifying random results divided by the average eligible safety-sensitive workforce, not just the year-end headcount. Drug counts include positives, negatives, and refusals; alcohol counts include screening results and refusals. Average the eligible workforce across the year's testing periods; employers selecting more often than monthly need not compute that total more often than monthly. Use scientifically valid selections with equal chances each time, and keep tests unannounced and reasonably spread throughout the year.

Control the Random Pool

Include the applicable safety-sensitive employees and exclude noncovered workers from the DOT random pool. Keep the geographic rules discussed earlier in mind. If a service agent combines aviation companies, verify the FAA minimum rate. If it combines companies regulated by different DOT agencies, the pool must meet the highest required rate. For an individual subject to more than one agency, the random rate follows the agency regulating more than half the person's functions. An employer subject to several agency programs may maintain appropriate separate pools or use the highest applicable rate. Review roster changes promptly as a recommended control; a vendor cannot correct assignments it never receives.

Notify for Immediate Testing

After random notification, require the selected employee to proceed to the testing site immediately. If the employee is performing a safety-sensitive function, ensure the person stops that function and goes as soon as possible. Plan the notification so that a safe handoff can occur. Random alcohol testing is allowed only during, just before, or just after covered functions. The drug rule does not impose that same duty-linked testing window. Before a federal alcohol test, tell the employee it is under the aviation testing requirement. Never describe a company-only test as federally required. Do not notify now and casually schedule the selected test for another convenient day.

Substantiate Drug Reasonable Cause

Base a drug reasonable-cause decision on specific, current physical, behavioral, or performance indicators supporting an articulable belief of prohibited drug use. Normally, at least two of the employee's supervisors must substantiate and agree with the decision, and at least one must be trained in detecting possible drug use. A non-Part 121 employer with fifty or fewer safety-sensitive employees may use one trained supervisor. A Part 121 certificate holder does not receive that small-employer exception. Check both operating status and covered workforce size. A rumor or a general judgment that someone seems unreliable does not replace the required observations and supervisory determination.

Use Trained Alcohol Observations

For alcohol reasonable suspicion, use specific, current, articulable observations about appearance, behavior, speech, or body odors. A supervisor trained to detect alcohol misuse must make them. That supervisor must not administer the employee's breath alcohol test. The observations must occur during, just before, or just after the period when the employee must comply with the rule. Direct the alcohol test only during, just before, or just after covered functions. This is not the two-supervisor drug decision rule. Record the actual observations and decision time as a practical control so the testing provider receives a defensible reason and the employer can track the testing clock.

Track the Suspicion Clock

Start the alcohol reasonable-suspicion clock at the determination. If testing has not occurred within two hours, prepare and retain the reasons for delay. At eight hours, stop attempts and record why the test was not completed. Missing the test does not clear an impaired worker: prevent covered duty until a test is below 0.02 or the next regularly scheduled duty period starts, at least eight hours after the determination. Apart from that duty restriction, do not treat behavior and appearance alone as a violation established under the alcohol testing rule without a test. Separate any action under independent employer authority.

Apply the Aviation Accident Trigger

First decide whether the event meets the aviation accident definition. It concerns an aircraft operation from the time someone boards intending flight until everyone has disembarked, with death, serious injury, or substantial aircraft damage. Then assess each covered employee's performance. Test when it contributed or cannot be completely discounted as a contributing factor; alcohol testing applies to surviving covered employees. A decision not to test must use the best available information showing that the employee's performance could not have contributed. Do not wait for a final investigation. Maintenance or dispatch performance may matter even when the employee was not aboard the aircraft.

Meet the Postaccident Drug Deadline

Arrange the post-accident drug test as soon as possible and no later than thirty-two hours after the accident. Thirty-two hours is the outer limit, not a suggested appointment time. Identify the relevant workers promptly and apply the contribution test to each. Preserve the information supporting a no-test decision as a recommended control. Keep drug and alcohol timing separate: the longer drug window does not extend alcohol testing. If the drug deadline is missed, do not label a later test as a timely FAA post-accident test. Document what happened and address the missed requirement rather than changing the event time.

Meet the Postaccident Alcohol Deadline

Arrange alcohol testing as soon as practicable after the accident. At two hours without a test, prepare and retain a record explaining the delay. At eight hours without a test, stop attempts and retain the explanation; provide those records to the FAA on request. An employee subject to testing must remain readily available or may be deemed to have refused. Do not delay necessary medical attention or prevent someone from obtaining emergency care or assistance responding to the accident. A covered employee who knows of the accident and performed relevant aircraft duties at or near that time must avoid alcohol for eight hours unless tested or the employer has ruled out that performance as contributing.

Respect the Preduty Limits

Apply the alcohol limit to the function about to begin. Flight crewmembers and flight attendants cannot perform their covered duties within eight hours of alcohol use. The covered air traffic control rule also uses eight hours. Other covered functions under the certificate-holder rule use four hours. Employers with actual knowledge of prohibited recent use must prevent the affected duties. Covered on-duty drinking and duty at an alcohol concentration of 0.04 or greater are also prohibited. A maintenance worker who drank three hours before scheduled maintenance cannot be assigned that work merely because the aircraft is parked. A later flight departure does not move the maintenance duty boundary.

Schedule Return and Follow-Up Tests

After a violation requiring the substance abuse professional process, wait for the professional's determination of successful compliance before return-to-duty testing. Drug return requires a verified negative; alcohol return requires a result below 0.02. Follow-up testing is unannounced and follows the professional's plan. At least six tests are required in the first twelve months of safety-sensitive duty; the plan can extend through a maximum of sixty months of safety-sensitive duty. Only the professional may make permitted changes. Additional testing may end after the first year of testing, but the minimum first-year requirement cannot be waived. Completing six tests does not let the employer end the plan. Follow-up alcohol tests remain duty-linked. These tests do not override additional aviation eligibility restrictions.

Official references

14 CFR 120.109 · 14 CFR 120.217 · 14 CFR 120.221 · Regulatory source 4 · 14 CFR 120.209 · 14 CFR 120.7 · 14 CFR 120.37 · 14 CFR 120.19 · 49 CFR 40.307

FAA - Record retention card

Sources checked October 7, 2026.

Retain the Five-Year Records

Keep the shared five-year records: verified positive drug results, alcohol results of 0.02 or greater, refusals, substance abuse professional reports, and all follow-up tests and schedules. Negative follow-up results still belong in this group. Aviation also requires five-year retention of submitted annual testing reports. Keep required drug-program reports sent to the Federal Air Surgeon for five years. The alcohol rule adds Federal Air Surgeon notifications, documents employees submit to dispute an alcohol result, and records of other alcohol-use violations to its five-year group. As a recommended control, label each record by its purpose, rather than assuming one deletion period fits the entire employee file.

Apply the Other Record Periods

Keep prior-employer testing-history information for three years from the employee's first safety-sensitive duty for you. Ordinary negative and cancelled drug results and alcohol results below 0.02 have a one-year minimum, unless another category requires longer. Breath-testing-device inspection, maintenance, and calibration records have a two-year minimum under the shared rule. Aviation alcohol testing-process and required training records also have a two-year minimum. These include random-selection records, reasonable-suspicion and post-accident decisions, awareness materials, supervisor-training evidence, and certification that training complies. Drug-program training must also be documented. As a recommended control, preserve evidence needed to establish current employee and supervisor training instead of deleting it merely because an unrelated retention period has expired.

Official references

Regulatory source 1 · 49 CFR 40.333 · 49 CFR 40.25

FAA - Violation and return reference

Sources checked October 7, 2026.

Remove Without Waiting

Immediately remove an employee from safety-sensitive functions when the employer receives a verified positive drug result or a refusal determination requiring removal. A confirmed alcohol result at or above zero point zero four also requires immediate removal. Do not wait for a written drug report or the employee's split-specimen result before acting on the initial verified result. The aviation rule specifically says a pending split test does not pause required removal or notification to the Federal Air Surgeon. Keep the employee out of covered assignments while the required process proceeds. A recommended control is to communicate the restriction to the person controlling assignments and confirm that the change took effect.

Handle the Lower Alcohol Range

Treat an alcohol concentration from zero point zero two to below zero point zero four separately. The employee cannot perform safety-sensitive functions until the concentration measures below zero point zero two, or until the next regularly scheduled duty period begins, at least eight hours after the test. If the employer wants a return within eight hours, a retest is required. Do not label this result alone a zero point zero four violation or automatically impose the federal substance abuse professional return-to-duty process for it. Other independently established prohibited conduct can matter. Separate any lawful company-authority discipline from the limited federal action based solely on this lower result.

Check Two Certificate Questions

Establish whether the person holds a certificate under part sixty-one, sixty-three, or sixty-five, and separately whether the person holds or would need a part sixty-seven airman medical certificate for the work. Do not assume that holding an airman certificate means a medical certificate is required for every job. The medical review officer has an express duty to ask the medical-certificate question while verifying a positive drug test or refusal, and the individual must answer. The substance abuse professional must also ask during the relevant interview. As a recommended employer control, maintain accurate role and certificate information so the reporting and return-to-work paths can be checked promptly.

Report Certificate-Holder Refusals

When a covered employee holding a part sixty-one, sixty-three, or sixty-five certificate refuses a required drug or alcohol test, the employer must notify the Federal Aviation Administration within two working days. The designated recipient is the Office of Aerospace Medicine, Drug Abatement Division, identified as A A M eight hundred. The regulations give its Washington mailing address and a fax route. Use the current official reporting instructions and keep transmission evidence as a recommended control. A refusal involving a certificated mechanic can be reportable even when that job does not require an airman medical certificate. A medical review officer's separate reporting role does not erase this employer duty.

Route Drug Medical Reports

For a person who holds or would be required to hold a part sixty-seven medical certificate for safety-sensitive work, the medical review officer must send the individual's name, identifying information, and supporting documentation to the Federal Air Surgeon within two working days after verifying a positive drug result or refusal. Notification to the employer is still required. Keep the medical review officer's task distinct from the employer's own refusal report. Within two working days of receipt, the employer must also forward all substance abuse professional reports about either a person the medical review officer reported under this medical-certificate rule or a person the employer reported for a part sixty-one, sixty-three, or sixty-five certificate-holder drug refusal. The second route can apply even when the person does not need a medical certificate. The regulation directs these reports through the Office of Aerospace Medicine, attention Drug Abatement Division.

Route Alcohol Medical Reports

When the employer determines that a covered medical-certificate holder has engaged in prohibited alcohol use, notify the Federal Air Surgeon within two working days. Forward the applicable evaluation report within two working days after receiving it. The agency's current reporting guidance also directs reporting of alcohol misuse violations and refusals for individuals who would be required to hold a medical certificate. Follow that guidance when setting the reporting workflow. Reportable alcohol misuse includes more than a high test result: on-duty use, prohibited pre-duty use, and prohibited use following an accident can matter. Do not wait for the annual statistical report; these are individual-event deadlines.

Check Permanent Drug Disqualification

Before discussing return to the same work, check the aviation permanent disqualification rules. Two verified positive drug tests required by the aviation drug-testing subpart, conducted after September nineteenth, nineteen ninety-four, permanently preclude the employee from performing for an employer the safety-sensitive duties performed before the second test. Prohibited drug use while performing a safety-sensitive function after that date permanently precludes performing that function for an employer. These are specific triggers and duty-based restrictions. Do not convert every first positive or refusal into the same permanent rule, and do not assume changing employers removes a disqualification. Obtain a precise eligibility determination when the proposed function or history is unclear.

Check Permanent Alcohol Disqualification

Alcohol use while performing a safety-sensitive function triggers permanent exclusion from the safety-sensitive duties performed before that violation. A further alcohol-use violation of the applicable aviation prohibitions, after a prior qualifying alcohol-use violation since becoming subject to them, can also trigger permanent exclusion from those duties. Review the actual conduct, dates, and prior history against the rule; do not reduce this to a slogan about any two test results. The restriction concerns specified safety-sensitive duties for an employer. Substance abuse professional completion or a later low alcohol result does not waive it. A proposed change of title is not enough to establish that a restricted function has changed.

Verify the Medical Return Gate

When the employee must hold a medical certificate to perform the duty, do not permit resumption after a covered violation until the Federal Air Surgeon has issued the required airman medical certificate dated after the positive result or refusal date. The drug rule also requires medical-certificate holders identified during the substance abuse professional interview to obtain the specified new certificate before the professional recommends return. For alcohol, follow the aviation medical-return requirements as well. An old unexpired certificate or a private clinician's fitness note does not satisfy this specific gate. A new certificate still does not waive permanent disqualification or the separate federal return-to-duty requirements.

Complete the Return-to-Duty Process

If return is legally available and the employer chooses to consider it, first obtain the substance abuse professional's determination that the prescribed education or treatment was successfully completed. Only then conduct the required return-to-duty test. The employer must receive a verified negative drug result or the required alcohol result below zero point zero two, as applicable, before safety-sensitive work resumes. Apply the shared federal procedures alongside aviation's additional conditions. The substance abuse professional evaluates compliance with the treatment or education plan; the employer decides whether to return the person, subject to applicable legal obligations. Neither decision supplies an aviation medical certificate or cancels a permanent restriction.

Implement the Follow-Up Plan

After an eligible return, implement the substance abuse professional's unannounced follow-up testing plan. At least six tests are required during the first twelve months of safety-sensitive duty after return, with the professional determining the number and frequency. The plan can extend through sixty months of safety-sensitive duty. The professional may terminate additional testing after the first year of testing, but cannot waive the minimum six tests during the first twelve months. The employer cannot decide that six tests completes the plan. Follow the professional's direction when testing for both drugs and alcohol is necessary. Alcohol follow-up must occur while performing safety-sensitive functions, just before, or just after. Keep ordinary random selection separate from this individual plan.

Keep Pilot Record Reporting Separate

For an organization subject to the Pilot Records Database reporting rules, applicable pilot drug and alcohol records require a separate reporting workflow. Coordinate with the person authorized to maintain those pilot records. Sending a report to the Federal Air Surgeon or Drug Abatement Division does not itself establish that the database entry was made. Likewise, a database entry does not replace the two-working-day aviation testing report. The next records module addresses this additional reporting route. As a recommended control, track each report's trigger, responsible person, recipient, and deadline independently, and retain evidence of completion. Do not substitute motor-carrier Clearinghouse reporting for the aviation duties described here.

Official references

49 CFR 40.23 · 14 CFR 120.113 · 14 CFR 120.221 · 14 CFR 120.217 · 14 CFR 120.111 · Regulatory source 6 · 14 CFR 120.19 · 14 CFR 120.37 · 14 CFR 120.109 · 49 CFR 40.305 · 49 CFR 40.307 · Regulatory source 12