

PHMSA - 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 PHMSA Part 40 inquiry separate from any FMCSA Clearinghouse duty for mixed-agency work. Also check the pipeline-specific prior-return drug-failure condition before permitting covered duties.
- 49 CFR 40.25 · 49 CFR 40.307

PHMSA - Dated collection-readiness card

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

Confirm availability before changing methods

The DOT oral-fluid laboratory page currently lists no HHS-certified oral-fluid laboratories. It displays a December 5, 2024 update date. DOT says at least two certified laboratories are needed before its oral-fluid program can operate. Verify the current listing, the primary and separate split-specimen laboratory, approved device and qualified collector before enabling this method. Arrange a compliant available method; a non-DOT test is not a substitute.

Confirm the testing network

Use HHS-certified laboratories for PHMSA testing. Apply Part 40 collector and alcohol-technician qualifications and immediate-supervisor conflict limits. Confirm the agency, test reason, specimen method, employee identifiers, collection instructions and MRO contact. As recommended controls, maintain after-hours access and a backup collection route. The shared core explains procedures; the pipeline lessons establish testing triggers.

[DOT oral-fluid laboratories](#) · [49 CFR 199.107](#) · [Part 40](#)

PHMSA - Testing decisions reference

Sources checked October 7, 2026.

Choose the Test Reason

Use separate drug and alcohol decision columns. The drug program includes pre-employment, random, reasonable cause, post-accident, return-to-duty, and follow-up testing. Alcohol includes post-accident, reasonable suspicion, return-to-duty, and follow-up testing, with retesting in the circumstances specified by the rule. Pre-employment alcohol testing is optional if its conditions are followed. Pipeline rules do not require random alcohol testing. Do not copy an alcohol random selection from a trucking or transit program into the pipeline program. The shared collection procedures tell the provider how to test; the pipeline rule determines why a test is authorized.

Clear the Drug Hiring Gate

Before hiring or contracting for a person as a covered employee, confirm that the person passes a drug test or is covered by an anti-drug program conforming to the pipeline requirements. Those are two routes stated in the rule. A contractor badge or an old company test does not establish conforming program coverage. As a recommended control, identify the responsible program and obtain reliable coverage evidence before assigning work. If relying on testing, use the required federal procedures and result process. Keep this hiring gate separate from the shared prior-employer history and unresolved-violation checks.

Protect and Release History

Retain a confidential written record of the history obtained or the documented good-faith efforts for three years from the employee's first covered duties for you. When another employer requests your records, review the employee's specific written consent and immediately release the required information confidentially. Keep a written record of the release date, recipient, and information supplied. A recommended intake checklist connects these records to the person, first-duty date, and eligibility decision. Do not replace the PHMSA inquiry with an FMCSA Clearinghouse query. Where an employee performs work regulated by both agencies, satisfy both applicable routes instead of assuming one query handles everything.

Choose Alcohol Hiring Policy

Decide whether the operator will use optional pre-employment alcohol testing before administering individual hiring tests. If elected, test every covered new hire and every transfer into covered functions consistently. Make the contingent offer first, use the federal alcohol testing procedures, and complete testing before first covered performance. The hiring result must show an alcohol concentration below zero point zero four. This hiring threshold comes from section 199.209; the temporary restrictions in section 199.237 expressly apply to tests under section 199.225. Separately established alcohol prohibitions still apply. Do not select only applicants who seem suspicious for this optional category. Document the chosen policy in the program and give the testing provider the correct reason so a hiring test is not mislabeled as reasonable suspicion.

Separate Company Alcohol Tests

Identify the authority when an operator adopts additional alcohol testing under its own policy. The pipeline rule preserves independent authority and employee rights, but it does not turn every company test into a federal test. Before an alcohol test under the pipeline subpart, notify the employee that the test is under that rule. Never falsely represent a company test as federally required. For example, a company random alcohol policy cannot be described as a pipeline random alcohol mandate. As a practical control, keep the policy, paperwork, test reason, and explanation to the employee aligned with the actual authority.

Apply the Current Random Rate

Plan the random drug program using the rate for the actual calendar year. For calendar year twenty twenty-six, the pipeline minimum annual random drug testing rate is fifty percent of covered employees. Verify the published notice when preparing the next year's program. The percentage is an annual program minimum, not a promise that exactly half of individual workers will be tested once. A valid random system can select the same person more than once. Other testing categories do not become random tests merely because they help the employer reach a numerical total.

Keep Selection Unpredictable

Use a scientifically valid selection method, such as a computer random-number system matched to employee identifiers. Every covered employee must have an equal chance whenever selections occur. A previously selected employee remains eligible for another selection. Keep tests unannounced and spread test dates reasonably across the calendar year. A manager's list of people who have not yet been tested is not a substitute for random selection. As a recommended control, check completed testing against the selection records throughout the year, investigate missed selections promptly, and correct program administration before the annual minimum is put at risk.

Count the Covered Pool

Include all covered employees, and only covered employees, in the employer's federal random pool. Calculate the annual average by adding the eligible covered population for each random testing period and dividing by the number of periods. When selections occur more often than monthly, the rule does not require that average calculation more often than monthly. A service agent may administer a larger pool, but the operator must ensure the proper testing percentage and covered membership. Keep personnel changes current so departing workers, new covered assignments, and transfers do not quietly distort the selection population.

Handle Multiple Agency Functions

For one employee performing functions regulated by several transportation agencies for the same operator, use the random drug rate of the agency regulating more than half of that employee's function. An operator subject to multiple agency drug rules may maintain separate pools grouped by required rate or select at the highest applicable agency rate. Document the actual work allocation as a recommended control. For annual reporting, count the employee only in the report for the agency under which the person is randomly tested. A combined pool does not erase each agency's distinct testing reasons or alcohol requirements.

Substantiate Drug Reasonable Cause

Base a reasonable-cause drug decision on a specific, current, explainable belief supported by physical, behavioral, or performance indicators of probable drug use. Normally, at least two of the employee's supervisors must substantiate and concur in the decision. At least one must have training in detecting possible drug-use symptoms. The second supervisor may concur by telephone. For operators with fifty or fewer employees subject to testing under the pipeline part, one trained supervisor of the employee may substantiate the decision. Check the operator's covered population before using that exception. A coworker's unverified rumor does not replace these conditions.

Use Trained Alcohol Observations

For alcohol reasonable suspicion, use specific, current observations about appearance, behavior, speech, or body odors. A supervisor trained to detect alcohol misuse must make the observations. That supervisor cannot conduct the employee's breath alcohol test. Arrange a separate qualified testing professional. The observations must occur during, just before, or just after the workday period when the employee must comply with the alcohol rule. Direct testing only during, just before, or just after covered functions. Record the observed facts and determination time as a practical control. Do not substitute the drug program's two-supervisor rule for this alcohol standard.

Track the Suspicion Clock

Start the reasonable-suspicion alcohol clock when the supervisor makes the determination. If the test is not administered within two hours, prepare and keep a record explaining the delay. If it is not administered within eight hours, stop testing attempts and record why it was not administered. Provide the records to the agency on request. The time when a technician arrives does not restart the clock. As a recommended control, enter the determination time, contact attempts, travel barriers, and collection status in one incident log. This clock begins at the suspicion determination, unlike the post-accident clock.

Manage Impairment Without a Test

Do not send an impaired employee back to covered functions simply because reasonable-suspicion alcohol testing was unavailable. The rule bars covered duty while alcohol impairment is shown by behavioral, speech, or performance indicators. The release condition is a test below zero point zero two, or the next regularly scheduled duty period beginning at least eight hours after the suspicion determination. Keep this duty restriction distinct from declaring a tested violation. Behavior and appearance alone do not establish an alcohol test result. Any further action based on independent employer authority must remain consistent with applicable law.

Identify a Reportable Event

Check reportability with the operator's pipeline safety team immediately. For testing purposes, an accident means a reportable gas or liquefied natural gas incident under the gas reporting rules, or a reportable hazardous liquid pipeline accident under the liquid reporting rules. An ordinary workplace mishap does not automatically meet that definition. Conversely, a qualifying pipeline release may trigger testing even without an injured employee. Use the applicable reporting definition and the available event facts. As a recommended control, record the event time, system type, reporting basis, and person evaluating reportability while testing arrangements proceed promptly.

Check the Gas Reporting Triggers

For gas systems, check more than repair costs. The incident definition includes specified releases with death, injury requiring inpatient hospitalization, qualifying property damage, or the specified unintentional gas-loss volume. It also includes actual emergency shutdowns of liquefied natural gas or underground natural gas storage facilities, and events the operator judges significant. A shutdown activation without an actual facility emergency is not enough under that shutdown category. Look up the current inflation-adjusted property-damage threshold posted by the pipeline agency instead of relying on an old printed figure. Apply the full definition with the pipeline safety team.

Check the Liquid Reporting Triggers

For hazardous liquid systems, evaluate a pipeline failure involving release against the liquid reporting criteria. These include specified fire or explosion, release quantity, death, injury requiring hospitalization, and property damage. The maintenance-release exception has several conditions; being a small release or occurring on company property alone does not establish the exception. Consult the full current reporting rule before excluding an event. Its property-damage measure includes cleanup and recovery costs, lost product, and damage to the operator or others. Do not substitute the gas rule's damage calculation or its inflation-adjustment approach for the liquid rule.

Decide Whose Performance Mattered

After a qualifying accident, assess each surviving covered employee's performance. Require drug and alcohol tests when that performance contributed or cannot be completely discounted as a contributing factor. A decision not to test must rest on specific information showing the employee's performance had no role in the causes or severity. Being off site when the release occurred does not itself exclude earlier maintenance or control work. Consider relevant contractor employees too. As a recommended control, identify each person, their function, and the available evidence promptly. Do not wait for a completed investigation to make the testing decision.

Meet the Drug Accident Deadline

Arrange the required post-accident drug test as soon as possible, no later than thirty-two hours after the accident. This is an outer deadline, not a recommended waiting period. If the required test is not administered within that window, stop attempts and prepare and maintain the record stating why testing was not promptly completed and why it was not administered. Do not continue under the same federal post-accident reason after the deadline. Track the employee's location and provider availability as practical controls. The alcohol testing window is shorter and must be managed separately from this drug deadline.

Meet the Alcohol Accident Deadline

Arrange required alcohol testing as soon as practicable after the accident. If no test occurs within two hours, prepare and keep the explanation for delay. At eight hours without testing, stop alcohol testing attempts and record why the test was not administered. Employees subject to testing must remain readily available and notify the operator of their location if they leave before testing; failure may be treated as refusal. Necessary medical attention must not be delayed. Employees may leave as needed for emergency care or assistance responding to the accident. Coordinate location and collection without obstructing that care.

Work the Incident Clock

A reportable pipeline accident occurs at ten in the morning. A covered maintenance worker's performance cannot be discounted. Start drug and alcohol testing arrangements promptly. If alcohol testing remains incomplete at noon, document the delay. If it remains incomplete at six that evening, stop alcohol attempts and document why. The drug deadline is six the next evening, thirty-two hours after the accident; if missed, stop and record the reasons. If the worker needs emergency care, protect that care and coordinate location. A technician arriving late, or later confirmation of reportability, does not restart the accident clock.

Official references

49 CFR 199.105 · 49 CFR 199.225 · 49 CFR 199.209 · DOT - Random testing rates · 49 CFR 40.25 · 49 CFR 199.237 · 49 CFR 199.211 · PHMSA - 2026 random drug rate · 49 CFR 199.119 · 49 CFR 199.3 · 49 CFR 191.3 · 49 CFR 195.50

PHMSA - Record retention card

Sources checked October 7, 2026.

Retain Drug Records

Classify drug records before assigning a deletion date. Keep collection-process compliance records, required supervisor and employee training records, and decisions not to administer post-accident drug tests for at least three years. Verified positive results, evidence of compliance with substance abuse professional recommendations, and annual management information system data require at least five years. Ordinary passing drug results require at least one year. These pipeline categories are starting points, not permission to delete a record covered by a longer shared requirement. As a recommended control, give each record a category and check overlapping duties before authorizing disposal.

Retain Alcohol Records

Keep alcohol results of 0.02 or greater, refusal documentation, calibration documentation, employee evaluations and referrals, and annual reporting data for at least five years. Other collection-process records and training records require at least two years. Ordinary results below 0.02 require at least one year. Decisions not to administer post-accident alcohol tests require at least three years. Notice the calibration distinction: pipeline alcohol calibration documentation belongs in the five-year category, even though the shared rule has a shorter general equipment-record minimum. As a recommended control, separate calibration evidence from the other collection records so a two-year cleanup cannot remove it prematurely.

Apply Shared Retention Overlays

Check the shared federal rule before closing a retention decision. It requires five years for verified positive drug results, alcohol results of 0.02 or greater, refusals, substance abuse professional reports, and all follow-up tests and schedules. A negative follow-up drug test therefore is not an ordinary one-year negative record. Keep information obtained from previous employers about drug and alcohol results for three years. Negative and cancelled drug results and alcohol results below 0.02 ordinarily have a one-year minimum. Equipment inspection and maintenance records have a two-year shared minimum; pipeline calibration records still require five. Preserve any longer applicable category.

Official references

49 CFR 199.117 · 49 CFR 40.333 · 49 CFR 199.227

PHMSA - Violation and return reference

Sources checked October 7, 2026.

Remove Immediately

Immediately remove an employee from safety-sensitive functions when the medical review officer reports a verified positive drug result. Act on the initial verified report; do not wait for the written report or a split-specimen result. A verified adulterated or substituted result is a refusal and also requires immediate removal. A confirmed alcohol result of zero point zero four or higher requires immediate removal. The operator cannot knowingly permit a person at that concentration to report for or remain on covered duty. As a recommended control, promptly notify the person controlling assignments of the restriction and confirm that covered access has stopped.

Prevent Prohibited Alcohol Use

Prohibit alcohol use while performing covered functions. For ordinary reporting, prohibit use within four hours before covered work. The pre-duty rule provides a different timing condition for an employee called to emergency duty: prohibit drinking after notification to report. An operator with actual knowledge of the prohibited use cannot permit covered work to begin or continue. Emergency staffing pressure does not authorize ignoring known prohibited alcohol use. A recommended on-call procedure is to tell the dispatcher promptly about recent drinking and arrange an eligible replacement. Record the actual timing and circumstances when deciding which prohibition applies. Do not assume that an alcohol result below zero point zero four erases independently established prohibited alcohol use.

Restrict Post-Accident Drinking

Tell an affected employee not to drink alcohol during the eight hours after the accident. This rule applies when the employee actually knows of the accident and the operator has not discounted the employee's covered performance as a contributing factor. The restriction can end sooner if the employee receives the required post-accident alcohol test or the operator determines the employee's performance could not have contributed. These are defined exceptions, not permission for an employee to decide that testing is unnecessary. Keep the no-drinking instruction separate from the testing deadlines and availability requirements. Emergency medical care must not be delayed for testing.

Respond to Refusals

Keep a person who refuses a required drug test out of covered work. Pipeline rules also bar continued covered functions after refusal of required post-accident, reasonable-suspicion, or follow-up alcohol testing. Apply the federal refusal procedures and the proper decision-maker's determination; an incomplete collection is not automatically a refusal. A refusal is a federal violation that requires the substance abuse professional and return-to-duty process before any otherwise eligible return. Do not promise immediate eligibility merely because the person later offers to test. For pipeline drug refusals, evaluate the applicable pipeline provisions together with the federal return rules and resolve unclear history before assignment.

Check Prior-Return Drug History

Check the pipeline drug history before treating a negative return test as sufficient. The exception to the pipeline prohibition on using a person who failed a required drug test has three conditions: passing a test under federal procedures, the required medical review and successful substance abuse professional education or treatment determination, and no failure of a pipeline-required drug test after returning to duty. A qualifying failure after return defeats that exception. Do not turn this exact condition into a blanket lifetime ban for every refusal or every other agency's test. As a recommended safeguard, escalate uncertain histories for a documented pipeline eligibility determination before assigning covered work.

Handle the Lower Alcohol Range

For an alcohol test under the pipeline required-testing section, a result from zero point zero two to below zero point zero four requires a temporary restriction. Covered work may resume when a retest measures below zero point zero two, or at the next regularly scheduled duty period that begins at least eight hours after the original test. Return within eight hours requires the retest. Eight hours alone does not authorize restarting the same shift without a qualifying retest. This result alone does not trigger the federal substance abuse professional process. Keep separate any independently established violation or lawful action under company authority.

Restrict Impaired Work Without a Test

When alcohol impairment is shown by behavioral, speech, or performance indicators, failure to complete a reasonable-suspicion test does not permit covered work. Maintain the restriction until a test measures below zero point zero two, or the next regularly scheduled duty period starts at least eight hours after the reasonable-suspicion determination. This clock starts with the determination, not a nonexistent test. Document missed-testing reasons and stop attempts at eight hours as required. Do not manufacture a confirmed alcohol result or impose the federal violation process based solely on appearance without a test. Separate any lawful action based on the employer's independent authority.

Provide the Required Referral

Provide each employee who violates federal drug or alcohol rules with a list of acceptable, readily available substance abuse professionals, including names, addresses, and telephone numbers. Do not charge for the list. Pipeline alcohol rules also require advice about counseling and treatment resources and evaluation by a substance abuse professional. Before any return to federal safety-sensitive duty, the employee must complete the required evaluation, referral, and prescribed education or treatment process. Older pipeline wording about whether assistance is needed does not create an option to skip the federal process. Payment arrangements depend on employer policy, agreements, benefits, and applicable requirements.

Complete the Return Gates

If return is legally available and the employer elects to consider it, obtain the substance abuse professional's determination of successful compliance with prescribed education or treatment before ordering the return-to-duty test. The employer must receive the required negative drug result or alcohol result below zero point zero two before safety-sensitive duties resume. Pipeline alcohol violations require that low alcohol return result; apply any additional substance testing directed through the federal process. Completion of treatment alone is insufficient, and testing first does not replace the required sequence. Check pipeline eligibility independently, including the prior-return drug-failure condition, before authorizing the assignment.

Carry Out Follow-Up Testing

Carry out the substance abuse professional's written follow-up plan after an eligible return. Require at least six unannounced tests during the first twelve months of safety-sensitive duty. The professional determines number, frequency, and whether drugs, alcohol, or both must be tested, subject to agency requirements. Testing may continue for up to sixty months of safety-sensitive duty. The employer chooses actual dates without an obvious pattern and gives no advance notice. Do not disclose the schedule, frequency, or duration to the employee. Alcohol follow-up occurs during covered functions, just before, or just after. Random tests cannot replace follow-up tests.

Keep Employer Decisions Separate

Do not describe successful completion as an entitlement to reinstatement. Federal return-to-duty conditions set a minimum gate; the employer decides whether to return the employee, subject to collective bargaining agreements and other legal requirements. The substance abuse professional's role is evaluating compliance and prescribing follow-up, not making the employer's personnel decision. Nor can the employer cancel the professional's follow-up requirements after six convenient tests. Current federal procedures allow the professional to end additional testing after the first year, while preserving the minimum six tests during that year. Keep eligibility, personnel decisions, and ongoing follow-up responsibilities separately documented.

Verify the Returning Contractor

A contractor proposes a worker for emergency-response duty and sends a recent negative drug result. Do not treat that result alone as clearance. As a recommended verification workflow, establish the relevant violation and return history, confirm completion of the required substance abuse professional process, verify the proper return-to-duty result, and determine whether a pipeline eligibility restriction applies. Obtain the remaining follow-up plan through authorized channels; it follows the employee across employers and breaks in service. Agree who will implement it before work begins. Contracting out testing does not transfer the operator's responsibility for compliance or authorize work by an ineligible employee.

Official references

49 CFR 40.23 · 49 CFR 199.103 · 49 CFR 199.215 · 49 CFR 199.217 · 49 CFR 199.219 · 49 CFR 40.285 · 49 CFR 199.221 · 49 CFR 199.225 · 49 CFR 199.105 · 49 CFR 199.223 · 49 CFR 199.237 · 49 CFR 40.287 · 49 CFR 40.289 · 49 CFR 199.243 · 49 CFR 40.305 · 49 CFR 199.235 · 49 CFR 40.307 · 49 CFR 40.309 · 49 CFR 199.115 · 49 CFR 199.245