

CDL-Only Applicable

Summary of Reasonable Suspicion Requirements - 49 CFR Part 382.307

1. The determination that reasonable suspicion exists to require the driver to undergo an alcohol test and/or a drug test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver. The observations may include indications of the chronic and withdrawal effects of controlled substances.
2. The determination to require a reasonable suspicion test shall be made by a supervisor or employer official who is trained in accordance with § 382.603. (d)
3. Alcohol testing is authorized only if the observations are made during, just preceding, or just after the period of the work day that the driver is required to be in compliance with this part.
4. An alcohol test should be administered within two hours following the determination to test if possible. If the test can't be administered within 2 hours the employer shall prepare and maintain on file a record stating the reasons the alcohol test was not promptly administered. If an alcohol test required by this section is not administered within 8 hours following the determination to test the employer shall cease attempts to administer an alcohol test and shall state in the record the reasons for not administering the test.
5. If reasonable suspicion for alcohol is observed but a reasonable suspicion test is not administered within 8 hours, a driver shall not perform safety-sensitive functions until:
 - a. An alcohol test is administered and the driver's alcohol concentration measures less than 0.02, or
 - b. 24 hours have elapsed following the determination of reasonable suspicion

What documentation is needed for reasonable suspicion testing?

For DOT purposes, written documentation must be made of the observations leading to a reasonable suspicion test.

- **Form J-DOT** is a reasonable suspicion documentation form. This form may be found in Section 2 of this notebook.
- **Form K** is a Refusal to Test documentation form. There is a greater possibility with reasonable suspicion testing that the employee may refuse to cooperate.
- The documentation leading to a reasonable suspicion test must be prepared and signed by the witness within 24 hours of the observed behavior, or before the results of the test (drug and/or alcohol) are released, whichever is earlier.