

**OFFICE OF PASSENGER TRANSPORTATION
COMPLIANCE REVIEW FOR
SECTION 5310 TRANSIT AGENCIES**

COMMERCIAL DRIVER LICENSE (CDL)

TRANSIT AGENCY	DATE OF COMPLIANCE REVIEW
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REQUIREMENT

Grantees that receive only Section 5310 funds are not subject to Federal Transit Administration (FTA) drug and alcohol testing rules, but must comply with the Federal Motor Carrier Safety Administration (FMCSA) rule for employees who hold a commercial driver license (CDL).

All drivers of vehicles designed to transport 16 or more passengers, including the driver, must have a CDL. Mechanics that drive the vehicles must also have a CDL. Therefore, those transit agencies who receive Section 5310 funds and have vehicles designed to transport 16 more must be included in a drug and alcohol testing program.

REFERENCES

The FMCSA rule for employees who hold a CDL is 49 CFR Part 382: <http://www.fmcsa.dot.gov/regulations/title49/part/382>.

The FMCSA website for drug and alcohol testing and reporting requirements is: <http://www.dot.gov/ost/dapc/mis.html>. The FMCSA Office of Drug & Alcohol Policy & Compliance can also be reached at (202) 366-2096.

REVIEW QUESTIONS

1. Does the agency have vehicles that require a CDL? YES NO
2. If yes, is the agency following FMCA regulations? YES NO N/A

COMPLIANCE ANALYST	DATE
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