



# State of South Carolina

## Department of Motor Vehicles

[South Carolina Department of Motor Vehicles Website](#)

### **FOR IMMEDIATE RELEASE TO: SOUTH CAROLINA TRUCKING ASSOCIATION NEWSLETTER**

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### **COMMERCIAL DRIVER DRUG AND ALCOHOL TESTING**

**Blythewood, SC – December 17, 2008** – Beginning January 1, 2009, employers are required to report to the South Carolina Department of Motor Vehicles (SCDMV) the names of all commercial driver employees or applicants who refuse to provide a specimen for a drug or alcohol test, test positive for drugs or alcohol, or submit an altered, diluted or substituted specimen. Refusal to take a DOT drug or alcohol test is defined in Federal Motor Carrier Safety Regulations Part 40 (49 C.F.R. 40). This regulation applies to a commercial driver employee, but does not apply to a commercial driver applicant in the pre-employment process.

The employer must report the employee using SCDMV Form CDL-18 within three business days. An employer who knowingly fails to report an employee or applicant who is in violation of the CDL Drug Testing Act is subject to a fine up to \$500.00. The employer may also be subject to a compliance review by the South Carolina State Transport Police or the Federal Motor Carrier Safety Administration and may be subject to additional fines or penalties.

Commercial drivers who are reported for a CDL Drug Testing Act violation will be disqualified from operating a commercial vehicle within 20 days. The disqualification will be in place until the reinstatement process is complete. To remove a disqualification, the driver must complete an alcohol and drug abuse program approved by the South Carolina Department of Alcohol and Other Drug Abuse Services and pay a \$100.00 reinstatement fee to the South Carolina Department of Motor Vehicles. If a commercial driver is disqualified due to a drug or alcohol test violation more than three times within a five year period, he or she will be permanently disqualified from operating a commercial vehicle.

During the disqualification period, commercial drivers may revert to a non-commercial driver license status, which permits drivers to operate non-commercial vehicles. Commercial drivers who revert to a non-commercial status due to a drug or alcohol test violation will not be required to retake the commercial driver license tests once the disqualification has ended unless their driver license has been expired for more than nine months or they have been disqualified for more than one year. However, because the commercial license is being reissued, all commercial drivers with HAZMAT endorsements will be subject to a Transportation Security Administration Threat Assessment. For additional information, please contact the SCDMV Communications Office at (803) 896-8198.