

Worked Example: A Drug & Alcohol Program Record

Every carrier name, person, date, dollar figure, document number and phone number in the record tables below is invented for this example. T. Vaughn Hauling, its drivers, its consortium, its collection sites, its MRO and its DER are illustrative only; the USDOT and MC numbers are zeros on purpose; the phone number sits in the block reserved for fiction; any real company with a similar name has nothing to do with this page. The regulatory dates, clocks, intervals, fees and citations in the notes around those tables are real claims about the rules, not specimen values, and every one of them carries a flag until it's been read against the regulation itself.

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The file, as it sat on March 2, 2026

Field	Value (specimen)
Legal name, exactly as filed on the MCS-150	T. VAUGHN HAULING, LLC
DBA	none
USDOT / MC	0000000 / 000000, zeros on purpose
Power units	6
Covered employees today	6
Covered employees during the review period	8 (two separated)
DER (designated employer representative)	M. Quinn, office manager: named in writing 2019-03-01, updated 2023-01-09 · (419) 555-0148
Backup DER	T. Vaughn, member/manager
C/TPA of record	WESTBANK CONSORTIUM SERVICES, LLC (invented vendor name)
Review period covered by this file	2025-01-01 through 2026-02-28
Where the file lives	locked cabinet, office 2, DER key only; separate from personnel, separate from the driver qualification files

A **DER** is the person your company names in writing to receive test results and to pull a driver out of service. The backup isn't a requirement; that one's my recommendation. It's the difference between a random selection that gets handled on Tuesday and one that waits for somebody's vacation to end.

The difference, in six lines

A certificate in a drawer and a real program look identical until somebody reads the dates. Six things a real one has that a paper one never does:

1. **Outcomes attached to names.** Every name drawn has a time it was notified and a time it was collected, not just a draw list in a folder.
2. **A driver who quit, still on the roster.** The name that surfaces at an audit is the one who worked six weeks last spring.
3. **An exception log with something in it.** A paper program has no anomalies because nobody ever reconciled anything against anything.
4. **A dated record of the thing that didn't happen:** the accident with no test required, the alcohol window that closed. A paper program has silence.
5. **A paid-through date and a card-expiry date,** tracked like a medical card.
6. **One blank that's blank on purpose,** with the reason printed beside it.

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Record 1: Consortium / C/TPA enrollment certificate

Transcribed from the certificate as filed. This is the one item in the set a vendor hands you.

Certificate field	As printed
Issued to	T. VAUGHN HAULING, LLC
USDOT number on the certificate	0000000
Original effective date	2019-03-01
Current term	2026-01-01 through 2026-12-31
Paid through	2026-12-31 · invoice 2026-0114, paid 2026-01-04
Card on file expires	2027-04, on the calendar as its own item
Pool type	pooled random (consortium), 1,180 covered employees in the pool
Two-or-more-employee pool statement	present, page 1
Services covered	random selection and notification lists · collection site network · MRO review · Clearinghouse queries as designated C/TPA
MRO of record	named on the service agreement, page 2; the DER has read the name
Signature and issue date	authorized signature, 2026-01-02
Effective date read aloud by	M. Quinn, 2026-01-12

► **What the auditor checks here.** Three fields in about ten seconds: does the legal name match your MCS-150, is your USDOT number on it, is the term current today. The fourth field is the one carriers lose (*paid through*) and the block below is what losing it looks like.

The certificate that said "continuous since 2019"

Not this carrier's page. Another drawer, the same certificate, and the most ordinary way this record fails:

x WRONG

CONSORTIUM ENROLLMENT - as held, with real confidence
An invoice, a login, and a sales rep's cell number.
Original effective date: 2019-03-01, CONTINUOUS
[Card on file expired. Membership lapsed eleven weeks.
The consortium emailed twice; nobody read it. On paper
it's a quarter with no draw list and no explanation,
because there was no pool to draw from.]

Continuous since 2019 describes the enrollment date, not the enrollment. Eleven weeks with no pool is eleven weeks with no program, and the acute violation is the carrier's. The consortium didn't breach anything.

✓ FIXED

Read the TERM and the PAID-THROUGH date, not the effective date. Both read aloud and initialled at renewal - the last two rows of the table above exist for that.
Card expiry month on the calendar as its own item. A lapsed card and a lapsed program are the same event.
Keep every prior year's certificate, not just this year's.
The question is whether you were enrolled on the days your drivers were driving.

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Record 2: Covered-employee roster, review period

#	Covered employee	Status	First safety-sensitive function	Separated	Policy receipt signed
1	T. Vaughn (member/manager, she drives)	current	2018-06-04		2018-06-04
2	R. Alvarez	current	2019-04-16		2019-04-15
3	D. Osei	current	2023-08-08		2023-08-07
4	S. Petrak	current	2024-02-20		2024-02-19
5	M. Ibarra	current	2025-03-04		2025-03-03
6	K. Brandt	current	2025-09-16		2025-09-15
7	R. Doyle	separated	2022-05-10	2025-07-25	2022-05-09
8	L. Fisk	separated	2025-04-07	2025-05-23	2025-04-07

Not covered employees: M. Quinn (office manager and DER: she doesn't drive, service, or move a commercial vehicle) and one part-time bookkeeper. The owner is on the roster because she drives; a part-time, seasonal, casual or leased driver goes on it too. Near miss 2 is what getting this list wrong costs in either direction.

Written policy: one document, revised 2023-01-09, signed receipt from all eight.

► **What the auditor checks here.** They don't take your roster. They build their own from payroll, dispatch, logs and roadside inspections, then look for names on theirs that aren't on yours. Fisk drove six weeks last spring and quit; she's row 8 for exactly that reason.

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Record 3: Pre-employment results against hire and first dispatch

Read this table by holding two columns against each other: *verified negative received* and *first dispatch*. That's the whole exercise.

Covered employee	Hired	Specimen collected	Verified negative received	First dispatch	Sequence
T. Vaughn	2018-06-01	2018-05-24	2018-05-29	2018-06-04	clean
R. Alvarez	2019-04-15	2019-04-08	2019-04-11	2019-04-16	clean
R. Doyle	2022-05-09	2022-05-04	2022-05-06	2022-05-10	clean
D. Osei	2023-08-07	2023-08-02	2023-08-04	2023-08-08	clean
S. Petrak	2024-02-19	2024-02-15	2024-02-16	2024-02-20	clean
M. Ibarra	2025-03-03	2025-02-26	2025-02-28	2025-03-04	clean
L. Fisk	2025-04-07	2025-04-02	2025-04-04	2025-04-07	clean
K. Brandt	2025-09-15	2025-09-17	2025-09-18	2025-09-16	⚠ see the exception note

A driver must have a verified negative controlled-substances result before performing any safety-sensitive function.

► **What the auditor checks here.** Negative received, then first dispatch, for every name. Seven rows read clean in under a minute. The eighth reads itself.

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The sequencing trap, printed

This is the record most carriers don't have, because having it requires somebody to go looking. Here is what the reconciliation on 2026-01-12 turned up.

Exception note 2026-001: K. Brandt, pre-employment sequence

Date	Day	What happened
2025-09-15	Mon	Hired. Clearinghouse consent given 11:02; full query run 11:14, no information.
2025-09-15	Mon	Collection site called. Earliest slot offered: Wednesday afternoon.
2025-09-16	Tue	Dispatched. Load 24118, Lima OH → Toledo OH, 214 mi.
2025-09-17	Wed	Dispatched. Load 24126, Toledo OH → Fort Wayne IN, 128 mi.
2025-09-17	Wed	16:10: pre-employment specimen collected.
2025-09-18	Thu	09:35, verified negative received from the MRO.

Read the ladder. Two loads moved on the 16th and the 17th. The negative landed on the 18th. For two days this company had a driver performing safety-sensitive functions without a verified pre-employment negative on file, and both dates print. That isn't a filing problem; it's an unqualified driver in a truck, and the paper says so without anybody's help.

Root cause, honestly stated. The collection site's calendar decided when he was tested, and nothing decided when he could drive. There was no step between "he says he can drive" and the keys.

What can't be fixed. Those two dispatches happened. You can't un-drive them, and you **must not** change a date, reprint a record with a friendlier date, or have a test result reissued to line up with a hire date. That

converts a finding (a bad one, but a survivable one) into falsification. Never do it.

What was actually done, with dates:

- 2026-01-12: found during the annual reconciliation with the consortium (Chapter 4's Do This Now, steps 1 and 2). Note written the same day, signed by the DER and the owner.
- 2026-01-12: the five-step hiring gate printed and taped at the hiring desk and in dispatch: register → electronic consent → full query → verified negative → *then* keys.
- 2026-01-14, dispatch software changed: a driver record with an empty "negative received" date can't be assigned a load. The gate is now a wall.
- 2026-01-14: the Keys Check on the last page adopted, and read out loud at hiring.
- Filed with the pre-employment records, not in a separate folder, so a complete answer to "show me your pre-employment results" includes it.

On that last bullet, and it matters. Chapter 9's rule holds: you hand over what was requested and nothing extra, and this note isn't extra. It's a pre-employment record, so "show me your pre-employment results" already reaches it, and the answer to "anything I should know about Brandt?" is a true one. Volunteering your files is a mistake; a file that's honest when it's opened is not volunteering. It won't erase the two dispatches either. In the documented cases this book draws on, this is an item auditors let carriers cure. What the note changes is whether the fix already has a date on it when somebody asks.

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Record 4: Random selection cycles

Cycle	Consortium draw	Name drawn	Test	Notified	Collected	Notified→collected	Result
2025 Q1	2025-01-13	S. Petrak	controlled substances	2025-01-15 07:41, yard	08:29, Lima OH	48 min	negative, received 2025-01-17
2025 Q2	2025-04-14	D. Osei	controlled substances	2025-04-16 09:12, Elkhart IN	10:05, approved site 12 mi out	53 min	negative, received 2025-04-18
2025 Q2	2025-04-14	T. Vaughn	alcohol	2025-04-16 10:04, just off a run	10:31, Lima OH	27 min	screening 0.00, same day
2025 Q3	2025-07-07	R. Doyle	controlled substances	2025-07-08 14:35, yard	15:20, Lima OH	45 min	verified positive, received 2025-07-11
2025 Q4	2025-10-06	S. Petrak (second selection this year)	controlled substances	2025-10-07 06:55, yard	07:40, Lima OH	45 min	negative, received 2025-10-09
2026 Q1	2026-01-12	K. Brandt	controlled substances	2026-01-13 15:20, yard	16:05, Lima OH	45 min	negative, received 2026-01-16

Average covered-employee positions reported to the consortium for 2025: **6**. Draw-to-notification gaps are explained on the back of each list; Petrak's two-day gap in January reads "driver returned to the yard

Wednesday 07:30." Explaining the gap isn't required. That one's my recommendation, and it costs one sentence.

Petrak was drawn twice in one year and tested twice. "She just went in January" is not something the records accept.

The alcohol row carries a rule the drug rows don't. A random alcohol test must happen just before, during, or just after the driver performs a safety-sensitive function, which is why Vaughn was notified at 10:04 coming off a run, not at her kitchen table.

What makes these unannounced: the evidence, on the record

- The draw date isn't published to drivers, and the selection list goes to the DER and the backup DER only. It's filed in the locked cabinet, never on the dispatch board.
- Notification time and collection time are both on every row. A driver goes to the collection site **immediately** once notified; "immediately" means he stops what he's doing and goes, not that the clock reads zero. Osei's 53 minutes was 12 miles of Indiana.
- No driver was told a selection was coming. No selected name was held for a convenient week. No route was changed to bring a selected driver home first.

The blank that's blank on purpose

Every other field in this specimen carries a made-up value. This one is empty:

Field	Value
Minimum annual random rate the consortium tests to, 2026	_____ % controlled substances · _____ % alcohol

FMCSA sets those two rates by notice and they change from year to year, so a number printed in a book is a number that goes stale. **Read the rate off your consortium's current-year letter and keep the letter next to the certificate.**

A second question hides behind that blank, and it's the one to ask your consortium in writing. Six drivers can draw four names one year and none the next. Whether the annual rate is measured against your own six covered employees or against the consortium's whole pool decides whether a small carrier with zero selections in a year has a problem or has a normal year. What I'd do: get the consortium's written statement of the rate they test to plus their year-end pool summary, and file both behind the certificate.

► **What the auditor checks here.** That the lists exist for the whole period and every name on them has an outcome. A draw list with a name and no result is worse than no list: it's a record of a test you knew about and didn't finish.

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Record 5: Post-accident decision notes

Two notes from the review period. One ended in no test, and it's the more valuable of the two.

Note A: 2025-11-21, 02:40, unit 4, D. Osei, US-30 near Van Wert OH

Question	Answer
Fatality?	No

Question	Answer
Bodily injury with immediate medical treatment away from the scene?	No: nobody transported, nobody treated
Vehicle towed from the scene for disabling damage?	Yes , unit 4 towed
Citation for a moving traffic violation arising from the accident , issued within 8 hours (alcohol) / 32 hours (controlled substances)?	No. Responding trooper issued none. Nothing arrived later either, and nothing that arrived later could have created the duty
Decision	No post-accident test required
Decided and signed	M. Quinn, DER, 2025-11-21 06:05
Attached	state crash report no. 00000000 (specimen) · tow invoice · dispatch note · driver's written statement

A fatality means you test, every time, no condition attached. A treated injury away from the scene, or a tow for disabling damage, means you test **only if the driver is cited for a moving traffic violation arising from the accident, and only if that citation issues inside the window**: 8 hours for alcohol, 32 for controlled substances.

The question this page used to leave open is answered. A citation that arrives days later doesn't create a duty in windows that already closed. The clock bounds the citation. So a trooper who mails something a week after a tow has not put you in violation of a test you never had reason to run, and an equipment or logbook citation doesn't trigger anything at all, because neither is a moving violation.

What I'd still do, as advice and not as a rule. When there's been a tow or a treated injury and a moving citation looks likely, collect inside the windows rather than waiting to find out. A negative you didn't strictly owe costs one collection. A test you owed and didn't run is the finding, and you cannot go back for it.

Note B: 2025-06-04, 22:50, unit 2, R. Alvarez, SR-117 at Bluffton OH

Trigger: the other driver was transported and treated away from the scene, **and** our driver was cited for failure to yield at 23:40. Testing required, both kinds.

Item	Record
Driver instructed by phone not to use alcohol and to remain available	23:12, logged; written acknowledgment signed 2025-06-05 08:40
Alcohol: 8-hour window closes	2025-06-05 06:50
Two-hour mark passed without a test	record of reasons prepared 2025-06-05 01:10 : our driver held at the hospital for evaluation until 04:10; three collection sites called 23:55, 00:20, 01:05, names and numbers logged; nearest breath alcohol technician available 08:15
Attempts ceased	06:50, at the 8-hour mark, per the rule
Alcohol test performed	No . The written record above stands in its place
Controlled substances: 32-hour window closes	2025-06-06 06:50
Controlled substances collected	2025-06-05 08:40, inside the window
Verified negative received	2025-06-09

The clocks are **8 hours for alcohol and 32 hours for controlled substances**. If the alcohol test hasn't happened within two hours you must prepare and keep a record of why, keep trying, and stop at eight. A driver **required to take the test must not** use alcohol for eight hours after the accident, or until he takes it, whichever comes first. That's **§382.209**, a different section from the one above. The **remain-available** duty, its deemed-refusal consequence and the medical-attention carve-out are in §382.303.

And one thing that can save you a collection entirely. If a trooper takes breath or blood at the scene or at the hospital, that test can satisfy the requirement, provided it met the applicable standards and **you obtain the results**. Those last four words are the whole thing: it only counts if somebody goes and gets it from the agency, and nobody ever does.

► **What the auditor checks here.** Whether the window was met, and if it wasn't, whether there's a record instead of a hole. Three phone calls with names and times reads as a company that tried. Silence reads as one that didn't, and the auditor has no way to tell the difference except what's on the page.

Print the triggers and the two clocks on a card for every cab. Nobody makes this decision well at two in the morning from memory.

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Record 6: Clearinghouse, both query types

Employer registration: 2019-12-18. C/TPA designated in the account: 2020-01-06, re-confirmed 2026-01-12.

Full queries: before the first safety-sensitive function

Covered employee	Driver's electronic consent	Full query run	Result	First dispatch
R. Doyle	2022-05-05	2022-05-05	no information	2022-05-10
D. Osei	2023-08-03	2023-08-03	no information	2023-08-08
S. Petrak	2024-02-16	2024-02-16	no information	2024-02-20
M. Ibarra	2025-02-26	2025-02-26	information exists: one resolved violation (2021); RTD test negative 2021-11-08; follow-up plan completed 2022-09-14	2025-03-04
L. Fisk	2025-04-03	2025-04-03	no information	2025-04-07
K. Brandt	2025-09-15	2025-09-15	no information	2025-09-16

A full query needs the driver's own **electronic consent inside the Clearinghouse**: they log in and approve it themselves, which is why this step stalls on a new hire who's never registered.

► **Two things need explaining here, and both are ordinary.**

Vaughn and Alvarez have **no pre-employment full query, and they're not supposed to**. They started in 2018 and 2019; the Clearinghouse went live in January 2020. What stands in its place is the pre-employment negative plus the written previous-employer drug-and-alcohol inquiries in their driver qualification files.

Doyle, hired May 2022, sits in the transition window when employers owed **both**, because the database didn't yet hold three years of history.

Ibarra's row is not a problem, and the wrinkle isn't the one people expect. Information existing is not the same as prohibited status. His violation is resolved (return-to-duty test done, follow-up plan finished in 2022) so he's eligible, we hired him, and the record shows the check we ran rather than an opinion about him. The wrinkle: had that follow-up plan still been *running*, we would have had to administer the tests that were left, because a follow-up plan travels with the driver and not with the employer who ordered it. Ask in writing before the first dispatch whether a plan is open and how many tests remain.

Annual limited queries: every driver, every year

Covered employee	General written consent on file	Last limited query	Result	Next due
T. Vaughn	2020-01-14	2025-06-02	no information	2026-06-02
R. Alvarez	2020-01-14	2025-04-14	no information	2026-04-14
D. Osei	2023-08-03	2025-08-06	no information	2026-08-06
S. Petrak	2024-02-16	2026-02-17	no information	2027-02-17
M. Ibarra	2025-02-26	2026-03-02	no information	2027-03-02
K. Brandt	2025-09-15	first annual not yet due		2026-09-15, calendared
R. Doyle	2022-05-05	2025-05-09	no information	none owed: separated 2025-07-25, records retained
L. Fisk	2025-04-03	none became due inside her 47 days		none owed, separated 2025-05-23

The limited query answers one question (is there information about this driver in the Clearinghouse, yes or no) and runs off a **general written consent** you collect once and keep. Brandt's blank is a legitimate blank: his first annual isn't due until his anniversary, and the date is on the calendar. This table shows the most recent query per driver; the year-by-year history lives in the Clearinghouse Query Log, one page per driver, which is why the invoice below counts five limited queries in 2025 and this page shows four.

If a limited query comes back "information exists": the written procedure, on file

If	Then
The limited query returns "information exists"	The 24-hour clock starts. The driver is not required to come out of service on the hit alone. That flag has now been resolved: §382.701(b) conditions the prohibition on the employer failing to run the full query in time, not on the hit. What we do anyway: run the full query the same hour
Within 24 hours	Run the full query. If you don't run it inside 24 hours , the driver must not perform a safety-sensitive function until you do and the record comes back clean
Full query shows a violation not resolved	He stays out until the whole return-to-duty path exists: see Record 7
Full query shows a resolved violation, follow-up plan	He's eligible. Document what you read and the date you read it

If	Then
complete	
Full query shows a resolved violation, follow-up plan open	He's eligible, and you inherit the remaining tests. Get the plan in writing

► **What the auditor checks here.** Nothing, in the sense that you don't produce it. Your query history is already on their side of the table, pulled against your roster and your hire dates. This is the one record in the set you can't tidy up before they arrive, which is a good reason to keep it clean the whole year.

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Record 7: Return-to-duty file, R. Doyle (a stub, and most of them are)

Step	Record
Violation	verified positive, controlled substances, random selection 2025-07-08
Result received from the MRO	2025-07-11, 11:20
Removed from all safety-sensitive functions	2025-07-11, 11:26: same hour, mid-shift. Load reassigned, dispatch notified, keys collected
SAP list provided in writing	2025-07-11: four substance abuse professionals with contact information, signed receipt on file, provided at no cost to the driver
Reported to the Clearinghouse	by the MRO, 2025-07-11; confirmed visible in our query history 2025-07-14
Step 1: SAP initial evaluation	not on file. Driver resigned 2025-07-25
Step 2: program the SAP prescribed, completed	not applicable, resigned
Step 3: SAP follow-up evaluation and eligibility determination	not applicable, resigned
Step 4: directly observed return-to-duty test, negative	not applicable, resigned. Until this exists, he must not perform a safety-sensitive function for us or for anyone else
Step 5: SAP follow-up testing plan, unannounced, on top of random	not applicable, resigned
File status	RETAINED. A verified positive runs long, on the order of five years. Do not purge on the separation date
If he applies here again	Steps 1 through 4 must exist and our full query must show the status resolved, before anything else is discussed

Two things make this survivable, and they're worth saying plainly. You were never required to keep him employed. That's a business decision, not the regulation's. You *were* required to give him the SAP list either way, and this file shows you did it the same hour you pulled him out of the truck. That's the whole obligation, and it's a short list.

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Also in the drawer

Record	Status
Supervisor reasonable-suspicion training	M. Quinn and T. Vaughn: 60 minutes alcohol misuse plus 60 minutes controlled substances, completed 2023-01-09, certificates on file. One time, no refresher required
Reasonable-suspicion tests conducted this period	None. Line signed and dated by the DER 2026-03-02: a dated "none" is a record; an empty space isn't
Retention, the practical version	never throw away a verified positive, a refusal, or a random selection list. Negatives run short: about a year; collection-process records sit in between
Storage	own locked cabinet, DER key only; separate from personnel files and separate from the driver qualification files

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What the auditor asks for, and roughly the order they ask

The written request usually arrives ahead of them. It tends to run in this sequence, which is worth rehearsing because it's the order your drawer should already be in.

1. **"Who's your DER?"** One name, one phone number, ten seconds.
2. **The enrollment certificate.** Legal name, USDOT number, current term.
3. **Your driver list for the review period**, which they compare against the one they already built. Give them the whole period, including the people who quit.
4. **Pre-employment results**, in hire-date order, read against first dispatch.
5. **Random selection lists**, then the outcome of every name on every list.
6. **Any positive or refusal**, and everything that happened after it.
7. **The written policy and the signed receipts.**
8. **Your Clearinghouse query history**, which they already have. A comparison, not a request.

Items 2 through 7 out of one cabinet in that order is a four-minute conversation. The same records in four locations is an afternoon, and an afternoon of searching reads like a program that isn't there.

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What this cost, off the invoices

Line	Amount (specimen)	Note
Consortium / C/TPA fee, 6 covered employees, 2026 term	\$312.00	inside the \$185–\$500 a year Chapter 4 cites for a small fleet
Clearinghouse queries, 2025: 5 limited + 3 full	\$10.00	8 queries at \$1.25
Collections and lab, 2025: 4 controlled substances, 1 alcohol	left blank	varies by site, and is often bundled into the consortium fee or billed per event
Consultant fee to set any of this up	\$0.00	there's no line for it, and there doesn't need to be. It's a form, a payment, and a certificate

The work nobody sells you is the part on the other pages: the dates, the outcomes, and the reconciliation that finds the one row that's wrong.

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Three pages that look right and aren't

Everything above is the program that survives. These are three sheets that have turned up in finished-looking files and cost carriers findings anyway. Each is shown **wrong first**, then fixed, because the wrong version is the one you'll recognise. None of them is T. Vaughn Hauling's paper; these come from other drawers.

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Near miss 1: the random program that told everybody first

✗ WRONG

RANDOM SELECTION - 2025, as it sat in the folder
Four quarterly draw lists. All present, all filed.
Read out at the Monday safety meeting each quarter:
"You're up this cycle - get it done next time you're
through the yard."
Collection receipts: Dec 8 · Dec 11 · Dec 15 · Dec 22
Also on the file: a selected driver routed home early,
one name held until after a vacation, and one driver who
left the notification and came back the next morning.

Four separate failures on one sheet, and this carrier believed all year that they were running a random program. Selections **must** be unannounced, a notified driver **must** proceed to the collection site immediately, and the tests **must** be spread reasonably across the year rather than bunched into the last three weeks of it. The draws were spread and the testing wasn't, so several drivers went months knowing a test was owed.

Here's what makes this the near miss most likely to be sitting in a real file right now: every step of it is somebody being considerate. Give people notice, let them plan, don't ambush the driver who's having a rough month. **The kindness is the violation**, and saying that out loud once is what makes the fix obvious.

One line in here has no options in it. Advance warning, letting a driver pick the day, sending anyone else in his place, or accepting a specimen that isn't his are not scheduling problems: they defeat the test. Adulterating or substituting a specimen is a refusal, and a refusal carries the same consequences as a positive. Making a false record about any of it is a separate violation on its own. **Never do any of it.**

✓ FIXED

Draw list goes to the DER and the backup DER only, into the locked cabinet. Never on the dispatch board, never read out in a meeting. Dispatch learns a name when the driver does. The DER notifies, and the driver goes now. Notified time and collected time both written on the row - see Record 4, where those gaps run 27 to 53 minutes.
Every name closed inside the quarter it was drawn. A driver who genuinely can't go now gets a dated note saying why and what happened next. Deferring to next quarter is not one of the options.
A name drawn twice gets tested twice - Petrak, January and October 2025, both rows on the sheet.

► **What the auditor checks here.** The notified-to-collected column first, then the calendar spread of the collection dates. Dates alone can't tell a program run properly apart from the one above; two columns of clock times can, and they can't be created a year later.

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Near miss 2: counting the wrong people

x WRONG
RANDOM POOL, as reported to the consortium
office manager never drives anything IN
shop hand never on a public road IN
seasonal driver ... ran six weeks in the spring OUT

The pool is everyone who performs safety-sensitive functions. That reaches the owner who drives and the casual, seasonal or leased driver, and it doesn't reach somebody who never touches a commercial vehicle. The two extra names dilute the pool. The missing name is the finding, and it's the one the investigator's own list will already have on it.

✓ FIXED
Rebuild the list from dispatch and payroll rather than from memory, walk the DQ file drawer folder by folder, then hand the consortium the rebuilt version - not the reverse.
Write a dated line for every person you considered and left OFF, with the vehicle and the reason. An empty space reads as somebody who was never considered at all.
Ask the yard question out loud once a year: who has driven a commercial vehicle on a public road for us in the last twelve months? Mechanics, managers, owners, dispatchers with a CDL. Job title decides nothing; the vehicle and the function decide it.

► **What the auditor checks here.** Names on their list that aren't on yours. That's the whole exercise, and rebuilding the roster is the step that turned up exception note 2026-001 on the page above. It's Chapter 4's Do This Now, step 2.

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Near miss 3: the one-truck carrier who runs his own random program

x WRONG
SOLE PROPRIETOR - RANDOM TESTING RECORD, 2025
Pool: 1 covered employee (me)
Method: I pick a month, drive myself to the site, file the negative. Twice a year, more than the rate.
"I'm the only driver. There's nobody to be unfair to."

He tested himself, which is right. He did it by himself, which isn't, and the reason is structural rather than moral. **You cannot administer your own random program**, and a pool of one isn't a pool: an employer who employs only himself or herself as a driver must be in a random pool of **two or more covered employees**. There's no version of this where you draw your own name. That's the whole reason a one-truck carrier needs a consortium.

✓ FIXED

Join a consortium. Your one covered employee - you - goes into a pooled random with other carriers' drivers, and they do the drawing. Ask them to state the two-or-more pool on the certificate in writing.

Pre-employment negative on yourself, dated before your first dispatch. Written policy with your own signature on the receipt. It looks strange. Sign it anyway.

Both Clearinghouse queries on yourself: full at the start, limited every twelve months after. You're an employer who has a driver.

Keep the old self-run records with a one-page memo saying what they were, what was wrong with them, and the date you enrolled. Destroying a bad record to make a drawer look consistent is a worse problem than the bad record.

Enrollment runs an annual fee in the low hundreds, and **you do not need to pay a consultant hundreds more to fill out the form.** While you're on the phone, settle one more thing if you're the only person in the company: ask who acts as your DER and how a result actually reaches you, and get the answer in writing.

► **What the auditor checks here.** Hold onto Chapter 3's line: you're two different people in the same body. As the driver you're in the pool, you need a pre-employment negative, and you go when you're drawn. As the employer you owe the program: the policy, the roster of one, the records, the queries. Almost every owner-operator failure in this subject is one of those two people doing the other one's job.

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The Keys Check: READ-DO

Pause point: before the keys leave the hook. Read it out loud, line by line, with the file open in front of you. It takes about two minutes, and it's the only list here that has to run at one exact moment.

1. Driver registered in the Clearinghouse and his electronic consent given, date: _____
2. Full query run and read by name, date: _____ · result: _____
3. If the query says information exists: status resolved, or he doesn't roll.
4. Verified negative controlled-substances result in your hand, date received: _____

...

5. Say two dates out loud. Negative received _____ · first dispatch _____. **Negative first, or he doesn't roll.**
6. Written policy handed over and receipt signed, date: _____
7. Name added to the random pool, confirmed by the consortium in writing, date: _____

If any line is blank, the answer isn't "he starts Monday." He waits, or he does work that isn't on or in a commercial vehicle, and moving one across the yard counts as on it.