

THE ULTIMATE LAB AUTHORITY

DOT 49 CFR Part 40 – Comprehensive Regulatory Guide

Regulatory Authority

49 CFR Part 40 establishes uniform procedures for workplace drug and alcohol testing across all DOT-regulated industries. It governs specimen collection, laboratory analysis, Medical Review Officer (MRO) responsibilities, employer obligations, and return-to-duty processes.

Collector Responsibilities

Collectors must ensure identity verification, proper completion of the Custody and Control Form (CCF), adherence to temperature requirements (90–100°F within 4 minutes), secure bottle sealing, and accurate documentation. Direct observation procedures must be conducted in compliance with federal privacy and same-gender requirements.

Fatal vs. Correctable Flaws

Fatal flaws result in test cancellation and may require recollection. Correctable flaws allow limited time for documentation correction. Understanding the distinction protects employer compliance and collector credibility.

Compliance Risk Considerations

Non-compliance may result in canceled tests, regulatory penalties, employer liability exposure, and reputational damage. Collectors must operate with strict procedural discipline.

Official Regulation Access

<https://www.ecfr.gov/current/title-49/subtitle-A/part-40>