

STANDARD ADMINISTRATIVE PROCEDURE

34.02.99.M2.01 Post-Accident Testing Instructions

Approved June 15, 1999

Revised March 26, 2010

Next scheduled review: January 19, 2022

Standard Administrative Procedure Statement

The purpose of this procedure is to set forth responsibilities for those involved in post-accident testing.

Procedures and Responsibilities

1. Post-accident testing for alcohol and for controlled substances is required by federal regulations after an accident, if the accident involves a fatality, or if the driver receives a citation under state or local law for a moving traffic violation arising from the accident.
 - 1.1 An accident is defined as an occurrence involving a commercial motor vehicle operating on a public road which results in:
 - 1.1.1 a fatality; or
 - 1.1.2 bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
 - 1.1.3 disabling damage to one or more motor vehicles as a result of the accident, requiring the vehicle to be transported away from the scene by a tow truck or other vehicle.
 - 1.2 The term accident does not include:
 - 1.2.1 an occurrence involving only boarding and alighting from a stationary motor vehicle;
 - 1.2.2 an occurrence involving only the loading or unloading of cargo;
 - 1.2.3 an occurrence in the course of the operation of a passenger car or a multipurpose passenger vehicle which is not transporting passengers for hire; or hazardous materials of a type and quantity that requires placarding under the DOT regulations.

- 1.3 “Disabling damage” means damage which precludes any motor vehicle from leaving the scene of the accident in its usual manner in daylight after simple repairs. This definition includes damage to motor vehicles that could have been driven but would have been further damaged if driven. However, excluded from disabling damage is:
 - 1.3.1 damage which can be remedied temporarily at the scene of the accident without special tools or parts;
 - 1.3.2 tire disablement without other damage, even if no spare tire is available;
 - 1.3.3. headlamp or tail light damage; and/or
 - 1.3.4 damage to turn signals, horn, or windshield wipers, which makes them inoperative.
 - 1.4 “Fatality” means any injury which results in the death of a person at the time of the motor vehicle accident or within thirty (30) days of the accident.
2. The driver must provide a urine specimen within thirty-two (32) hours following an accident for which a post-accident controlled substance test is required, provided that medical attention is not delayed in order to collect the specimen. (Contact Employee Assistance Program for guidance) The driver also must submit to breathalyzer alcohol testing within two (2) hours following the accident. Note: All alcohol tests should be done within two (2) hours, but in no event later than eight (8) hours after the accident.
 - 2.1 A driver who is subject to post-accident testing shall remain readily available for such testing or may be deemed by Texas A&M University to have refused to submit to testing.
 - 2.2 No driver who is required to take a post-accident test shall use alcohol for eight (8) hours following the accident, or until they undergo a post-accident alcohol test, whichever occurs first.
 - 2.3 If tests are conducted by federal, state or local officials having independent authority for the tests, those tests may be considered by Texas A&M as satisfying the post-accident testing requirements.

Related Statutes, Policies and Rules

Policy 34.02: *Drug and Alcohol Abuse and Rehabilitation Programs*

<http://policies.tamus.edu/34-02.pdf>

Rule 34.02.01.M2: *Substance Abuse Prevention Rule for DOT-Regulated Employees*

<http://rules-saps.tamu.edu/PDFs/34.02.01.M2.pdf>

Contact Office

For more information or clarification on this rule, contact [Employee Assistance Program](#), at (979) 845-3711, or by email at eap@tamu.edu.

OFFICE OF RESPONSIBILITY: [Human Resources](#)