



## DEPARTMENT OF TRANSPORTATION

### Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2026-0562]

#### **Agency Information Collection Activities; New Information Collection: Techniques for Preventing and Enforcing Controlled Substance and Alcohol Violations Among Non-Commercial Driver's License Commercial Motor Vehicle Drivers**

**AGENCY:** Federal Motor Carrier Safety Administration (FMCSA), Department of Transportation (DOT).

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, FMCSA announces its plan to submit the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for review and approval and invites public comment. This notice invites comments on a proposed information collection titled "Techniques for Preventing and Enforcing Controlled Substance and Alcohol Violations Among Non-CDL Commercial Motor Vehicle Drivers." This research study will collect data from State partner agency representatives to assess ways to address controlled substance and alcohol violations among non-commercial driver's license (CDL) commercial motor vehicle (CMV) drivers and improve abilities to prevent, detect, and enforce these violations.

**DATES:** Comments on this notice must be received on or before [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** You may submit comments identified by Docket Number FMCSA-2026-0562 using any of the following methods:

- Federal eRulemaking Portal: <https://www.regulations.gov>. Follow the online instructions for submitting comments.

- Mail: Dockets Operations; U.S. Department of Transportation, W58-213, 1200 New Jersey Avenue SE, Washington, DC 20590-0001.
- Hand Delivery or Courier: Dockets Operations, U.S. Department of Transportation, W58-213, 1200 New Jersey Avenue SE, Washington, DC, 20590-0001 between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays. To be sure someone is there to help you, please call (202) 366-9317 or (202) 366-9826 before visiting Dockets Operations.
- Fax: (202) 493-2251.

To avoid duplication, please use only one of these four methods. See the “Public Participation and Request for Comments” portion of the SUPPLEMENTARY INFORMATION section for instructions on submitting comments.

**FOR FURTHER INFORMATION CONTACT:** Marcelo Perez, Senior Transportation Specialist, Applied Research Division, FMCSA, 300 E 8<sup>th</sup> Street, Suite 130; Austin, TX 78701; (512) 916-5473; [marcelo.perez@dot.gov](mailto:marcelo.perez@dot.gov).

**SUPPLEMENTARY INFORMATION:**

**Instructions:**

All submissions must include the Agency name and docket number. For detailed instructions on submitting comments, see the Public Participation heading below. Note that all comments received will be posted without change to <https://www.regulations.gov>, including any personal information provided. Please see the Privacy Act heading below.

**Public Participation and Request for Comments:**

If you submit a comment, please include the docket number for this notice (FMCSA-2026-0562), indicate the specific section of this document to which your comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online or by fax, mail, or hand delivery, but please use only one of these means. FMCSA recommends that you include your name and a

mailing address, an email address, or a phone number in the body of your document so FMCSA can contact you if there are questions regarding your submission.

If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing.

FMCSA will consider all comments and material received during the comment period.

**Privacy Act:**

In accordance with 5 U.S.C. 553(c), DOT solicits comments from the public to better inform its regulatory process. DOT posts these comments, including any personal information the commenter provides, to [www.regulations.gov](http://www.regulations.gov) as described in the system of records notice DOT/ALL 14 (Federal Docket Management System (FDMS)), which can be reviewed at <https://www.transportation.gov/individuals/privacy/privacy-act-system-records-notice>. The comments are posted without edits and are searchable by the name of the submitter.

**Background:**

Substance use among CMV drivers continues to be a serious concern, despite strict regulations aimed at preventing drug and alcohol offenses. A recent study conducted in 2022 found that nearly one in five CMV drivers tested positive for controlled substances, with alcohol and Tetrahydrocannabinol showing up in 4 percent of samples and opiates detected in 1.5 percent.<sup>1</sup> Similarly, 2022 data from FMCSA revealed 2.8 percent of fatal crashes involving large trucks involved truck drivers with a blood alcohol concentration (BAC) of .08 or higher, double the legal limit for Commercial Driver’s License (CDL) holders (0.04 BAC).<sup>2</sup> Additionally, about 5.5 percent

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<sup>1</sup> Soccolich, S.A., Camden, M.C., Glenn, T.L., Links-Owens, C., Hall, A., Hodge, J., & Hanowski, R.J. (2022). *Estimating the prevalence of synthetic cannabinoid use among commercial motor vehicle drivers: Developing a pilot test to collect data on substance use*. Report No. 22-UI-104. National Surface Transportation Safety Center for Excellence.

<sup>2</sup> FMCSA. (2025). *Large Truck and Bus Crash Facts 2022*. Publication No. FMCSA-RRA-24-001. Washington, DC: USDOT.

of CMV drivers involved in fatal crashes tested positive for illicit drugs, though testing was not conducted for all drivers.<sup>3</sup> These findings highlight the heightened risks posed by substance use among CMV drivers, with research showing that alcohol presence can increase crash risk by two to four times.<sup>4</sup>

To combat these risks, DOT has implemented strict testing requirements for CDL CMV drivers, including pre-employment testing (for drugs), random drug and alcohol tests, reasonable suspicion drug and alcohol testing, and post-crash drug and alcohol testing under certain conditions. FMCSA has established a Drug and Alcohol Clearinghouse, which helps employers and government agencies (e.g., FMCSA and State Driver Licensing Agencies) track violations and ensure drivers with violations have completed DOT's return-to-duty process before resuming safety-sensitive functions. However, non-CDL CMV drivers who operate smaller CMVs are not subject to these same requirements. Adding to the complexity are the varied and inconsistent nationwide enforcement practices of alcohol and drug regulations. This underscores the need for a more unified approach to regulating and enforcing substance use policies for all CMV drivers. Strengthening oversight and ensuring consistent enforcement across states is critical to improving safety on our roads and protecting lives.

The purpose for obtaining data in this study is to assess ways to address controlled substance and alcohol violations among non-CDL CMV drivers to improve State partners' resources and abilities to prevent, detect, and enforce these violations. The primary aim of this study is to gain insight and document agency needs, knowledge gaps, technological limitations, financial shortfalls, and opinions related to strategies for improving aspects of the CMV safety program. Findings from this study may provide

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<sup>3</sup> FMCSA. (2007). *The Large Truck Crash Causation Study: Analysis brief*. Publication No. FMCSA-RRA-07-017. Washington, DC: USDOT.

<sup>4</sup> Lacey, J., Kelley-Baker, T., Berning, A., et al. (2016). *Drug and alcohol crash risk: A case-control study*. Report No. DOT HS 812 355. Washington, DC: National Highway Traffic Safety Administration.

insight to improve State partners' resources and abilities to prevent, detect, and enforce controlled substance and alcohol violations among non-CDL CMV drivers.

Additional investigations in this study, briefly described here, are not included in the remainder of this document because the data collection designs are not applicable to OMB review. A separate data collection task with seven focus groups was performed with law enforcement officers and other State agency representatives from U.S. States with high rates of drug and alcohol violations among non-CDL drivers. This task gathered insights from officers and agency representatives on best practices, recommendations, and lessons learned, based on their experience, regarding the prevention, detection, and enforcement of drug and alcohol violations for non-CDL vehicle operators. Further, a study of existing Federally managed crash and violation data (sourced from the following databases: Motor Carrier Management Information System, Fatality Analysis Reporting System, Crash Report Sampling System, and General Estimates System) was conducted to explore drug and alcohol violation trends over time for CDL and non-CDL CMVs.

This study will collect data via an online survey tool, Qualtrics, from State agency partner representatives from select States to collect data on agency needs, knowledge gaps, technological limitations, financial shortfalls, and opinions on strategies for improving CMV safety programs related to controlled substance and alcohol violations among non-CDL CMV drivers. To protect privacy, Qualtrics' geo-coding functionality will be disabled during the survey. The survey is designed by State agency representatives with firsthand knowledge and direct experience in enforcement activities and policy implementation within their organization will be recruited to complete the survey, ensuring responses reflect operational realities. The targeted States for the survey include the District of Columbia, Louisiana, Texas, Connecticut, California, Oregon, Michigan, New Jersey, Virginia, Illinois, and North Carolina. If five States cannot be secured from the initial list, FMCSA will provide additional candidate States.

Participants will access the survey via a secure link and will be consented in accordance with Institutional Review Board protocols. To ensure maximum participation and completion, the survey will be self-guided, concise (up to 30 minutes long), and formatted for easy comprehension. Qualtrics, Virginia Tech's dedicated survey tool, will be used to disseminate, collect, and organize responses securely. The research team aims to gather 30 to 60 responses per State (up to 300 total responses across at least 5 and up to 10 States).

The study data will be summarized to provide information on the survey topics as shared directly by law enforcement officers and State agency representatives. This approach is appropriate for the study's sampling strategy as the focus is on understanding patterns, challenges, and operational needs in addressing controlled substance and alcohol violations among non-CDL CMV drivers rather than making population-level inferences. There is no formal stratification in the sample design; however, where response volume allows, the analysis may descriptively group responses by factors such as State, agency type, or officer role to highlight patterns in the data. These groupings will be exploratory and will not be used for any statistical inference. For open-ended responses from the survey, the research team will follow a qualitative structured approach based on the framework analysis method, adapted to focus on highlighting agency needs and challenges for detecting, preventing, and enforcing drug and alcohol violations among non-CDL CMV drivers. This method will provide a systematic way to summarize the data collected from law enforcement personnel. The team will chart open-ended comments in spreadsheets, grouped by theme and subtheme. Finally, the team will interpret the data to uncover deeper insights and highlight needs, barriers, and suggestions for improvement as self-reported by the participants. This approach will allow the research team to provide a well-rounded understanding of the experiences, barriers, and needs from the field as reported directly by those on the front lines of CMV

enforcement.

**Title:** Techniques for Preventing and Enforcing Controlled Substance and Alcohol Violations Among Non-Commercial Driver's License Commercial Motor Vehicle Drivers

**OMB Control Number:** 2126-XXXX

**Type of Request:** New ICR

**Respondents:** State partner agency representatives directly involved in inspection activities, as well as those involved with managing enforcement officials and/or programs.

**Estimated Number of Respondents:** 30 to 60 survey responses per State, resulting in a total of at least 150 and up to 300 survey responses from State agency representatives directly involved in inspection activities or managing enforcement officials and/or programs.

**Estimated Time per Response:** 30 minutes

**Expiration Date:** N/A. This is a new ICR.

**Frequency of Response:** Once

**Estimated Total Annual Burden:** 200 hours.

**Definitions:**

***Non-CDL CMV:*** A vehicle that is used in interstate commerce and

- has an actual weight or weight rating over 10,000 pounds (lbs.), but does not meet the definition of a CDL-required CMV; or
- seats between 9 and 15 (including the driver) and the company is being compensated for providing the transportation; and
- does not require placards.

***CDL-required CMV:*** a vehicle that is used in interstate commerce and

- weighs over 26,000 lbs.; or
- transports 16 or more passengers (including the driver); or
- transports hazardous materials.

***Prevention:*** Efforts to deter impaired operation of CMV's before it occurs.

***Detection:*** Awareness of key indicators of impaired CMV operators.

***Enforcement:*** Carrying out appropriate protocols/procedures after a CMV driver has been identified as driving impaired.

**PUBLIC COMMENTS INVITED:** You are asked to comment on any aspect of this information collection, including: (1) whether the proposed collection is necessary for the performance of FMCSA's functions; (2) the accuracy of the estimated burden; (3) ways for FMCSA to enhance the quality, usefulness, and clarity of the collected information; and (4) ways that the burden could be minimized without reducing the quality of the collected information. The Agency will summarize or include your comments in the request for OMB's clearance of this ICR.

Issued under the authority of 49 CFR 1.87.

**Nicole S. Michel,**  
*Acting Associate Administrator,*  
*Office of Research and Registration.*

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