



## Employees Covered Under DOT Testing Regulation [49 CFR Part 40](#)

### Federal Motor Carrier Safety Administration (FMCSA)

#### [49 CFR Part 382](#)

**Covered employee:** A person who *operates (i.e., drives)* a Commercial Motor Vehicle (CMV) with a gross vehicle weight rating (gvwr) of 26,001 or more pounds; or is designed to transport 16 or more occupants (to include the driver); or is of any size and is used in the transport of hazardous materials that require the vehicle to be placarded.

### Federal Railroad Administration (FRA)

#### [49 CFR Part 219](#)

**Covered employee:** A person who performs *hours of service* functions at a rate sufficient to be placed into the railroad's random testing program. Categories of personnel who normally perform these functions are *locomotive engineers, trainmen, conductors, switchmen, locomotive hostlers/helpers, utility employees, signalmen, operators, and train dispatchers*.

### Federal Aviation Administration (FAA)

#### [14 CFR Part 120](#)

**Covered employee:** A person who performs *flight crewmember duties, flight attendant duties, flight instruction duties, aircraft dispatch duties, aircraft maintenance or preventive maintenance duties; ground security coordinator duties; aviation screening duties; and air traffic control duties*. Note: Anyone who performs the above duties directly or by contract for a part 119 certificate holder authorized to operate under parts 121 and/or 135, air tour operators defined in 14 CFR part 91.147, and *air traffic control* facilities not operated by the Government are considered covered employees.

### Federal Transit Administration (FTA)

#### [49 CFR Part 655](#)

**Covered employee:** A person who performs a *revenue vehicle operation; revenue vehicle and equipment maintenance; revenue vehicle control or dispatch (optional); Commercial Drivers License non-revenue vehicle operation; or armed security duties*.

### Pipeline and Hazardous Materials Safety Administration (PHMSA)

#### [49 CFR Part 199](#)

**Covered employee:** A person who performs on a pipeline or liquefied natural gas (LNG) facility an *operation, maintenance, or emergency-response* function.

### United States Coast Guard (USCG)

#### [46 CFR Parts 4, 5, and 16](#)

**Covered employee:** A person who is *on board a vessel* acting under the authority of a *license, certificate of registry, or merchant mariner's document*. Also, a person *engaged or employed on board a U.S. owned vessel* and such vessel is required to engage, employ or be operated by a person holding a license, certificate of registry, or merchant mariner's document.