



## Ohio Administrative Code

### Rule 3337-47-03 Drivers of commercial motor vehicles.

Effective: April 1, 2025

---

#### (A) Purpose

Employees who operate motor vehicles while conducting Ohio university business shall fully comply with all applicable laws and regulations governing operator certification and licensing. Each department or office head is responsible for ensuring their vehicle operators meet state and federal requirements and university standards.

#### (B) Policy

Under the provisions of state and federal law, operators of certain types of vehicles, including vehicles used to transport certain types of cargo, are required to obtain and possess a commercial driver's license (CDL). This includes persons employed in any capacity when driving a vehicle identified as a commercial motor vehicle (CMV).

Individuals must have a valid commercial driver's license to operate any of the following vehicles:

- (1) A single vehicle with a gross vehicle weight rating (GVWR) of more than twenty six thousand pounds;
- (2) A combination vehicle or vehicle towing a trailer with a combined GVWR of twenty six thousand pounds or greater;
- (3) A vehicle designed to transport sixteen or more persons (including the driver);
- (4) Any combination vehicle with a combined GVWR of less than twenty six thousand pounds where the cargo is regulated by the public utilities commission of Ohio;
- (5) Any vehicle used to transport material that has been designated as hazardous under 49 U.S.C.



1503 and is required to be placarded under subpart F of CFR Part 172 or is transporting any quantity of a material listed as a select agent or toxin in 42 CFR Part 73.

CDLs are available in three categories: Class A, Class B, and Class C, depending on the type and size of the vehicle. In addition, separate endorsements are required to operate vehicles with air brakes, carry more than fifteen passengers (including the driver), transport hazardous materials, carry one thousand gallons or more of a liquid, or tow trailers or equipment.

#### (C) Procedure

Each department must determine whether any of its vehicles are CMVs as defined by law. Department administrators are encouraged to consult with transportation and parking services and university human resources to assess the need for the appropriate class of CDLs and applicable endorsements that their operations may require. Each department should also check with the office of environmental health and safety if the routine or even occasional transportation of hazardous materials is part of the department's operation.

The office of university human resources will assist the affected department in determining which classifications or specific positions will require the CDL. If it is determined that an employee will be required to have a CDL, a revision to that effect must be made to that employee's position description. Revised position descriptions must be forwarded to university human resources for review and approval. University human resources will notify the employee's department and transportation and parking services of approval.

Applicants for employment as drivers of commercial motor vehicles must provide the information required by section 4506.20 of the Revised Code.

#### (D) Training

The university is committed to assisting incumbent employees whose current positions require CDLs to execute their university duties to meet the necessary licensing standards. ELDT-certified training will be required for employees who do not currently possess a CDL and may be required for those with CDLs depending on position requirements for CDL class, certifications, and



endorsements. Transportation and parking services, in conjunction with university human resources, will provide guidance to departments on training requirements to ensure proper CDL licensure based on position duties. Employees requiring CDL training will be granted time without loss of pay to attend CDL training seminars by appointment with the appropriate training agency and with the permission of the employee's department. In addition, the employee's department may be required to make the appropriate motor vehicle available to the employee for training and practice. The employee's department is responsible for arranging for the vehicle to be transported to the training site for employees with expired licenses.

(E) Failure or refusal to obtain required CDLs

Employees who are required to possess a CDL for the execution of their university duties and who fail to obtain or maintain the proper license and appropriate endorsements as required by law shall be immediately suspended from CMV operation and may be subject to disciplinary action up to and including termination.

(F) Compliance with CDL requirements

As required by law, employees with CDLs shall report any specified violation to their supervisor by the end of the business day following notice of suspension, revocation, cancellation, or loss of CDL privileges. Departments are responsible for reporting information to licensing agencies as required by law and to the university human resources no later than the next business day. Employees who do not possess a valid CDL with appropriate licensures and endorsements are prohibited from operating a commercial vehicle.

(G) Compliance with policy 41.133, "alcohol and other drugs"

Since university grant funding could be affected by noncompliance with drug and alcohol-related legislation initiated by federal, state, and local governments, all drivers of commercial motor vehicles must strictly comply with the university's "alcohol and other drugs" policy. In addition, since drivers of commercial motor vehicles may be tested for drug and alcohol use, they must also adhere to the drug and alcohol testing requirements outlined in section (H) of this policy.



(H) Testing requirements for drivers of commercial vehicles

(1) Types of drug testing

(a) Random or unannounced: Fifty per cent of covered personnel will be randomly tested each year. The testing will be unannounced and spaced throughout the year.

(b) Post-accident: After an accident, covered personnel will be tested as soon as possible, but no later than thirty two hours after the accident, if that person(s) performance either contributed to or cannot be completely discounted as a contributing factor to the accident.

(c) Reasonable cause: A covered person will be tested if two supervisors reasonably suspect that person is using a prohibited drug, based on information provided by a law enforcement agency acting with probable cause, or based on specific contemporaneous physical, behavioral, or performance indicators. The supervisor must have been trained to detect symptoms of drug use.

(d) Return to duty: Covered personnel who have been returned to duty after failing a drug test or refusing to submit to a drug test will be subject to unannounced drug tests for a minimum of twelve months and a maximum of sixty months as determined and scheduled by the medical review officer.

(e) Periodic: A covered person whose position requires holding a medical certificate pursuant to FAR Part 67 must submit a drug test as part of the first medical examination following employment in that position and is subject to all of the other types of testing listed immediately above.

(2) Refusal to submit or failure to comply

A covered person who refuses to submit to a drug test may be denied an application for or renewal of any certificate or rating issued for up to one year following the refusal. Refusal is also grounds for suspension or revocation of any certificate or rating.

Refusal of a covered person to submit a drug test and failure of a drug test resulting in the suspension or revocation of the certificate or license is grounds for disciplinary action up to and including termination, consistent with due process. All disciplinary measures involving drug policy violations



shall be reviewed with university human resources prior to issuance. This is to assure consistency and fairness in implementation.

(3) Drug and alcohol clearinghouse

All employees with a CDL must register with the FMCSA drug and alcohol clearinghouse and report registration to university human resources. Drivers with a prohibited status in the FMCSA clearinghouse will lose or be denied their state-issued commercial driving privileges and be subject to disciplinary action up to and including termination.