What is considered a “refusal to test”?

“Refusing” an alcohol or drug test doesn’t just mean declining the test. There are a number of situations that are considered to be a refusal to submit to an alcohol and/or drug test, including when:

- A driver fails to appear for any test within a reasonable time
- A driver fails to remain at the testing site until the testing process is complete
- A driver fails to provide:
  - A urine specimen for drug testing
  - A saliva or breath specimen for alcohol testing
- A driver fails to provide enough urine for drug testing or an adequate amount of saliva or breath for alcohol testing, and there is no medical explanation for the failure
- In the case of a directly observed or monitored drug test collection, a driver fails to permit the observation or monitoring of his provision of the specimen
- For observed collection, a driver fails to follow the observer’s directions to raise or lower his clothing to show that he does not have a prosthetic or other device that could be used to interfere with the collection process
- A driver possesses or wears a prosthetic or other device that could be used to interfere with the collection process
- A driver admits to the collector or medical review officer (MRO) that he adulterated or substituted the specimen
- A driver fails or declines taking a second drug test when directed by your motor carrier or collector
- A driver fails to undergo a medical examination or evaluation as part of:
  - The verification process for drug testing or as directed by the designated employer representative (DER)
  - “Shy bladder” procedures for drug testing
  - Insufficient breath procedures for alcohol testing
- A driver fails to cooperate with any part of the testing process
- A driver’s drug test is verified as being adulterated or substituted