

December 31, 1992

Phyllis J. Richardson
DPU/Administrative Services
City of Richmond
Department of Public Utilities
600 East Broad Street
Richmond, VA 23219

Dear Ms. Richardson:

This is in response to your correspondence of November 2, 1992, requesting an interpretation of Title 49 Code of Federal Regulations ?40.25 concerning whether a collection facility is authorized to require an employee reporting for a random drug test to disrobe and put on a hospital/patient gown prior to the collection of the urine specimen.

The "Specimen Collection Workbook" published by the Department of Transportation (DOT) in May 1992 provides guidance for your question. Section IX, question #7 states "What if the clinic or office policy requires 'patients' to 'strip' and wear a hospital gown?" The answer is "Except for collections conducted as a part of a required DOT physical examination which requires disrobing, DOT collection shall not require or allow disrobing." Although other DOT modes require physical examinations as part of their drug testing programs, the Research and Special Programs Administration (RSPA) drug testing program at 49 CFR Part 199 does not. Thus, a pipeline operator requiring its employees to adhere to the practice which you described, should refrain from continuing this practice.

A copy of the workbook is enclosed and may provide answers to other questions you may have concerning DOT collections.

Thank you for your inquiry. Please let me know if you need additional information about our drug testing requirements.

Sincerely,

Richard L. Rippert
Drug Compliance Coordinator
Office of Pipeline Safety
Enforcement

Enclosure