

Courts Uphold DOT Mandated Direct Observation Policy

On July 30, 2009 the Department of Transportation (DOT) issued a new final ruling effective on August 31, 2009 to require all return-to-duty and follow-up drug test mandatory through Direct Observation (DO). This provision had been stayed by the United States Court of Appeals for the District of Columbia Circuit Court; but was lifted on July 1, 2009. The Courts finally made a unanimous decision to uphold the Department's position in this matter.

This amendment, therefore, restores the language of 49 CFR 40.67(b) to the version that became a final rule on June 25, 2008 and the Final Rule will take effect on August 31, 2009. If you would like additional information on this final ruling, please [click here>>](#).