

INFORMATION BULLETIN



May 28, 2025

ALCOHOL PROHIBITION FOR DRIVERS OF COMMERCIAL MOTOR VEHICLES REGULATED BY SECTION 34500 OF THE CALIFORNIA VEHICLE CODE

The purpose of this Information Bulletin (IB) is to provide information regarding alcohol prohibitions for drivers of commercial motor vehicles (CMV) regulated by Section 34500 of the California Vehicle Code (CVC), regardless of whether a commercial or noncommercial driver's license is required. California has adopted, by reference, the alcohol prohibitions contained in Title 49, Section 392.5(a) of the Code of Federal Regulations (CFR), pursuant to Section 34500.7 CVC. Drivers of vehicles regulated by Section 34500 CVC shall not engage in the following:

1. Use of alcohol, as defined in Title 49, Section 382.107 CFR, within four hours before going on duty, or operating or having physical control of a CMV.
2. Have any measured alcohol concentration or detected presence of alcohol while on duty or operating a CMV.
NOTE: Measured alcohol concentration is defined as blood alcohol concentration (BAC) found to be 0.01 percent by weight or greater.
3. Be on duty or operate a CMV while in possession of wine, beer, or distilled spirits.
NOTE: This prohibition does not include beverages which are manifested and transported as part of a shipment. Additionally, it does not include beverages which are possessed or used by bus passengers.

Pursuant to Title 49, Section 392.5(b) CFR, no motor carrier shall require or permit a driver to violate the provisions of Title 49, Section 392.5(a) CFR. Any driver found to be in violation of Title 49, Section 392.5(a) CFR, shall be placed out-of-service immediately for a period of 24 hours.

When citing a driver for violating a provision of Title 49, Section 392.5(a) CFR, the violation on the citation should be cited as: Section 34500.7 CVC, Title 49, Section 392.5(a) CFR. Additionally, the violation description should include the specific provision of Title 49, Section 392.5(a) CFR, violated.

For information regarding commercial drivers who are under the influence or operating a CMV with a BAC of 0.04 percent or greater, refer to Highway Patrol Manual 70.4,



Driving Under the Influence Enforcement Manual, Chapter 4, Driving Under the Influence Policy and Procedures.

Questions regarding this IB should be directed to Commercial Vehicle Section, at (916) 843-3400.

OFFICE OF THE COMMISSIONER

OPI: 062

