

# Driver Shortage in Trucking Industry Linked to Cannabis Testing

## Trucking Industry Faces National Driver Shortage Fueled by Marijuana Testing and Outdated Federal Regulations, New Report Finds

A recent policy paper published by Fleetworthy and FreightWaves highlights the trucking industry's alarming shortage of drivers, which reached approximately 80,000 in 2024. The report links this shortage to several factors, notably the Department of Transportation's (DOT) zero-tolerance marijuana testing policy. According to the paper, many qualified drivers fail to pass pre-employment or random drug tests due to marijuana use, unaware of the strict federal regulations that do not account for marijuana's legal status in certain states.

### Cannabis Use Among Truckers: The Growing Problem of Confusion Over Federal Policies

The white paper titled "Cannabis, Compliance, and Driver Retention" reveals that while marijuana has become widely legalized and socially accepted in many parts of the U.S., its legal status remains a gray area for commercial drivers. The document states that the proliferation of marijuana and CBD products, along with what it deems "outdated" DOT regulations, creates significant challenges for both trucking carriers and drivers.

"While marijuana use is legal in some states, it remains illegal under federal law, and many drivers are unaware that marijuana consumption can still lead to failed drug tests under DOT regulations," the report reads. It further explains that many drivers mistakenly believe their state's marijuana laws should protect them from federal drug testing requirements, which has led to job loss and career setbacks for numerous workers.

### Marijuana Testing Policies and Their Impact on Driver Retention and Recruitment

The DOT mandates drug testing for commercial truck drivers in several situations, including pre-employment, random testing, post-accident tests, and tests conducted when a driver is suspected of being impaired. When a driver fails a drug test due to marijuana, they are immediately removed from duty and must undergo a "return-to-duty" process that involves counseling, follow-up testing, and a substance abuse evaluation.

The report notes that some states, like Minnesota, prevent workers from being fired after a first failed test, but the process is still devastating for many drivers, as it often marks the end of their career in trucking. "Carriers lose experienced drivers and face expensive recruitment efforts to replace them, creating a costly cycle for both the drivers and the trucking companies," the paper states.

## **The Future of Cannabis Regulations in the Trucking Industry: What Would Reclassification Mean for Truck Drivers?**

The white paper discusses the potential for marijuana to be moved from Schedule I to Schedule III under the Controlled Substances Act, a change that could significantly alter DOT regulations. Although this reclassification might reduce the social stigma surrounding marijuana and recognize its medical use, it would not necessarily ease federal restrictions on drivers using marijuana.

“Even if marijuana is reclassified, it may still remain on the DOT’s drug testing panel because of the safety-sensitive nature of commercial driving,” the report asserts. The paper highlights the need for a clearer framework regarding marijuana’s legal status and testing protocols to ensure that drivers are not unfairly penalized for lawful behavior in their home states.

### **Proposed Solutions: Education, Awareness Campaigns, and Alternative Testing Methods**

The white paper suggests several measures to help improve driver retention and recruitment, including more effective safety and compliance training, as well as education and awareness campaigns. These efforts would focus on informing drivers about the risks associated with marijuana use, the DOT’s drug testing policies, and the potential for failed tests due to CBD products.

One of the report’s key recommendations is better labeling standards for CBD products, which would help prevent drivers from unintentionally failing drug tests. The paper advocates for clearer labeling, ensuring that products labeled as “THC-free” are genuinely free from detectable levels of THC.

Additionally, the report emphasizes the need for alternative testing methods. The current standard for DOT drug testing is urine-based, but the paper points out that saliva and hair follicle testing could provide a more accurate picture of recent drug use. Oral fluid tests have already been approved by the DOT, but the report notes that these tests are not yet widely available because the U.S. Department of Health and Human Services (HHS) needs to approve testing labs.

The paper also argues that changes in testing protocols could help mitigate the risks of false positives, allowing for a more balanced approach to marijuana testing. “Alternative testing methods, such as oral fluid or hair follicle tests, could offer more accurate results, distinguishing between drivers who have recently consumed marijuana and those who did so weeks or months ago,” the report explains.

### **Ongoing Issues: Impairment and the Challenge of Accurate Drug Testing**

The report acknowledges that the impact of marijuana use on a driver’s cognitive abilities can persist for up to a week, even after the intoxicating effects have worn off. This raises concerns about the safety of truck drivers who may still be under the residual effects of marijuana when performing safety-sensitive duties.

Despite the challenges surrounding marijuana impairment, the white paper advocates for continued dialogue between industry stakeholders, lawmakers, and federal agencies to resolve the issue. “By listening to the concerns of employees and reviewing available data, industry leaders can develop policies that reflect the practical challenges faced by both carriers and drivers,” the report concludes.

### **The Need for Federal Action on Marijuana Rescheduling and Testing Protocols**

As the issue of marijuana legalization continues to evolve, the trucking industry faces an uncertain future. Lawmakers and transportation agencies are under increasing pressure to adapt testing and regulatory policies

to address the growing role of marijuana in the lives of drivers. Federal officials are being urged to create more robust testing methods that can accurately detect recent marijuana use while avoiding the pitfalls of the current urine-based system.

With over 30 states having legalized marijuana for medical or recreational use, and the potential for federal rescheduling, the trucking industry is calling for clearer policies that protect both road safety and driver retention. Whether through reclassification or updated testing protocols, the trucking sector needs a solution that balances safety concerns with the realities of a changing legal landscape.

## **Navigating the Complex Intersection of Marijuana Legalization and Trucking Regulations**

The trucking industry's driver shortage is a complex issue fueled in part by federal marijuana testing policies that fail to account for the evolving legal landscape. As marijuana use becomes more widespread and states continue to pass legalization measures, the need for updated testing protocols and clearer regulations is more urgent than ever. Industry leaders, lawmakers, and federal agencies must work together to ensure that the trucking industry remains safe, compliant, and able to meet the growing demand for drivers.

This ongoing challenge will require thoughtful solutions, such as better education for drivers, more accurate testing methods, and a reevaluation of federal drug policies, to ensure the future of both the trucking industry and highway safety.

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