

FMCSA Drug and Alcohol Clearinghouse

Captive Connections Transportation Safety Conference

April 24, 2024



U.S. Department of Transportation
Federal Motor Carrier Safety Administration



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About the Congressional mandate and what it means

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Learn how you can register and get technical support

Overview of the Clearinghouse



The Clearinghouse First Final Rule

- Mandated by Congress (MAP-21, Section 32402)
- Published December 5, 2016
- Established requirements for the Clearinghouse
- Implemented on January 6, 2020



Learn more and access the Clearinghouse first final rule at:

www.fmcsa.dot.gov/regulations/commercial-drivers-license-drug-and-alcohol-clearinghouse

Who is required to use the Clearinghouse?

- ☑ Drivers who hold commercial driver's licenses (CDLs) or commercial learner's permits (CLPs)
- ☑ Employers of CDL drivers who operate commercial motor vehicles (CMVs)
- ☑ Consortia/Third-Party Administrations (C/TPAs)
- ☑ Medical Review Officers (MROs)
- ☑ Substance Abuse Professionals (SAPs)
- ☑ State Drivers Licensing Agencies (SDLAs)



The FMCSA Commercial Driver's License Drug and Alcohol Clearinghouse



Record

Employers and medical review officers report violation information to the Clearinghouse (positive tests, refusals to test, actual knowledge)



Retain

Secure database retains the violation and CDL/CLP number
Includes driver's status in return-to-duty (RTD) process



Driver consent



Query

Employers and C/TPAs query the Clearinghouse for driver status and any violation information, with driver consent
FMCSA uses data for enforcement purposes
State enforcement agencies can access current and previous driver eligibility statuses (i.e., Prohibited/Not Prohibited)
Drivers can access only their own information

Increasing safety on our Nation's roadways

Real-time access to reported violation information for select registered users

Easier for employers to meet pre-employment investigation and reporting obligations

More difficult for drivers to conceal drug and alcohol violations from employers

More insight into employer compliance with drug and alcohol testing rules



Safer Roadways

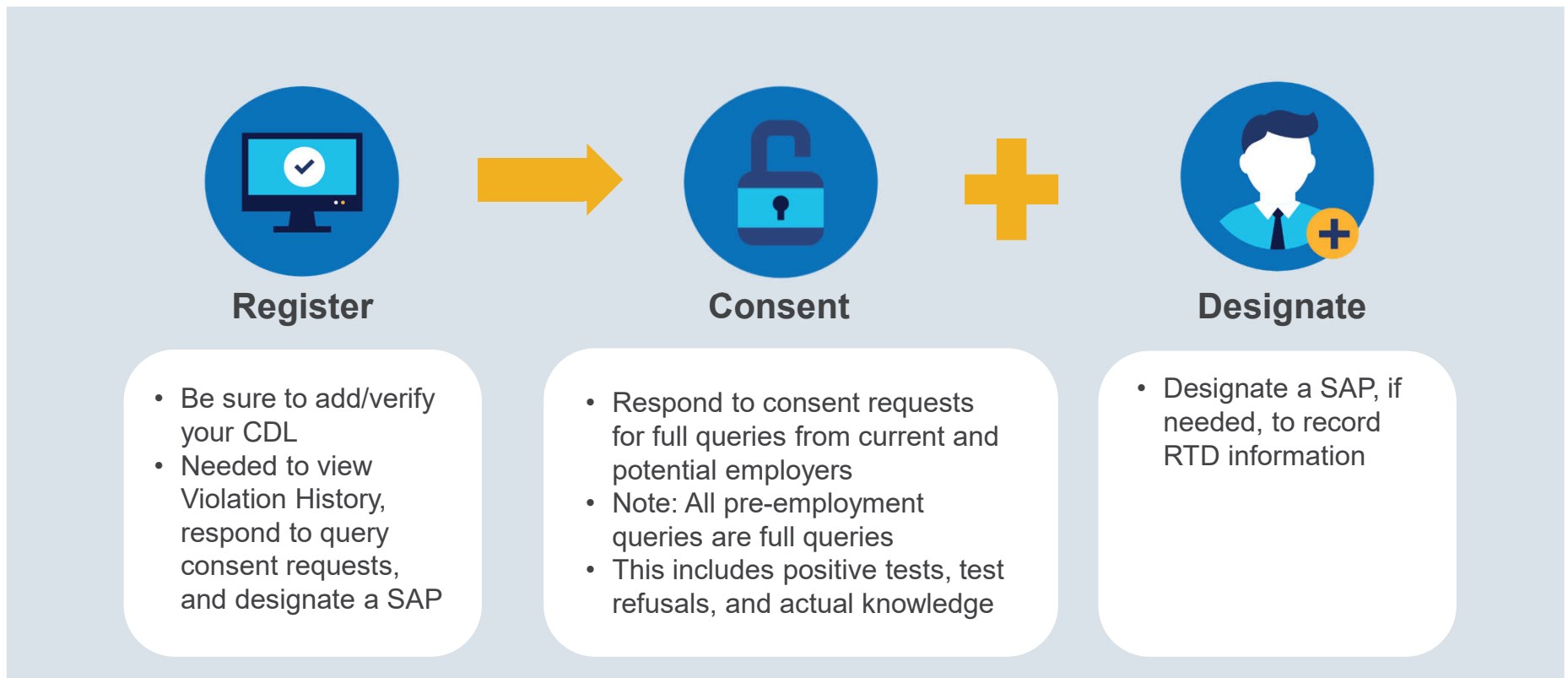
Who is covered by the Clearinghouse rule?

- All CDL drivers who operate CMVs on public roads and their employers and service agents. This includes, but is not limited to:
 - Interstate and intrastate motor carriers, including passenger carriers
 - School bus drivers
 - Construction equipment operators
 - Limousine drivers
 - Municipal vehicle drivers (e.g., waste management vehicles)
 - Federal and other organizations that employ drivers subject to FMCSA drug and alcohol testing regulations (e.g., Department of Defense, municipalities, school districts)
- Government entities are not required to obtain a USDOT Number under 49 CFR part 390, however they *are* subject to the Controlled Substances and Alcohol Use and Testing regulations in 49 CFR part 382

Learn more about the specific actions each user can take at:

<https://clearinghouse.fmcsa.dot.gov/Resource/Index/User-Roles>

Driver Requirements



Failure to provide consent to a request for a full query will result in the driver being prohibited from performing safety-sensitive functions (including operating a CMV) *for that employer*, in accordance with § [382.703\(c\)](#).

Owner-Operator Requirements



Register

- Register as an employer, indicate you are an owner-operator
- Link to your FMCSA Portal account (optional)
- Add/verify your CDL (optional)



Query

- Check if a driver is prohibited from operating a CMV
- Pre-employment queries on any new drivers
- Annual queries on all drivers, including yourself



Designate

- Designate a C/TPA (required)
- C/TPA must report violations and RTD information
- Owner-operators may designate C/TPA to conduct queries, or conduct their own

Employer Requirements



Register

- Link to your FMCSA Portal account (optional)



Record

- Report CDL driver drug and alcohol program violations
- Positive alcohol tests, test refusals, actual knowledge



Query

- Check if driver is prohibited from operating a CMV
- Pre-employment and annual



Designate

- Designate a C/TPA (optional)
- C/TPA may conduct queries, report violations and RTD information on your behalf

MRO and SAP Requirements



Register



Report

MRO

- Self-certify you meet all MRO qualifications per § [40.121](#)

- Positive, adulterated, substituted drug tests or test refusals

SAP

- Self-certify you meet all SAP qualifications per § [40.281](#)
- Driver must designate you in the Clearinghouse

- Enter RTD information: date of initial SAP assessment, and date driver determined eligible for RTD testing

Registration



Registering for the Clearinghouse

- Must have a Login.gov account to register for the Clearinghouse



When selecting a method for second factor authentication do not select “backup codes”

- After you have logged in to your Login.gov account, select your user role

The screenshot shows the registration interface for the Drug & Alcohol Clearinghouse. At the top, there is a dark blue header with the text "DRUG & ALCOHOL CLEARINGHOUSE" and navigation links: "My Profile", "Learn", "About", and "Contact". Below the header, a green checkmark icon is next to a message: "Thank you! You are now logged into your login.gov account. Follow the steps below to complete your Clearinghouse registration." A progress bar shows four steps: 1. LOGIN.GOV (completed), 2. ROLE SELECTION (current step), 3. CONTACT INFORMATION, and 4. TERMS & CONDITIONS. Under "STEP 2 OF 5", the heading is "Select Your Role". A sub-heading reads: "The role you register as will determine which actions you are permitted to take in the Clearinghouse. Review the options below and select the option that best describes your role." There are six role options, each with a radio button and an icon: "Student Driver" (icon of two people), "Driver" (icon of a car), "Employer" (icon of a truck), "Consortium/Third-Party Administrator (C/TPA)" (icon of a group of people), "Medical Review Officer (MRO)" (icon of a stethoscope), and "Substance Abuse Professional (SAP)" (icon of a document).

Registering for the Clearinghouse – Drivers

- Enter and validate your **current** commercial driver's license (CDL) or commercial learner's permit (CLP) information
- **Note:** This is required to view your Clearinghouse record and respond to query consent requests
 - Include any leading zeroes
 - Try entering with or without special characters (spaces, hyphens), as requirements vary by State

The screenshot shows the 'DRUG & ALCOHOL CLEARINGHOUSE' registration interface. At the top, there are navigation links: 'My Profile', 'Learn', 'About', and 'Contact'. A progress bar indicates five steps: 'LOGIN.GOV', 'ROLE SELECTION', 'CONTACT INFORMATION', 'CDL', and 'TERMS & CONDITIONS'. Step 4, 'CDL', is currently active. Below the progress bar, there is a help message: 'Do you need help? Download step-by-step instructions for driver registration. ¿Necesita ayuda? Descargue las instrucciones para el registro de conductores.' The main heading is 'STEP 4 OF 5 Commercial Driver's License Information'. The instructions state: 'Enter your **current** commercial driver's license (CDL) or commercial learner's permit (CLP) information below. This information will be verified against your information in the Commercial Driver's License Information System (CDLIS)'. The form contains the following fields: 'First Name' (text input), 'Last Name' (text input), 'Country' (dropdown menu with 'country' selected), 'State' (dropdown menu with 'state' selected), 'CDL Number' (text input), and 'Date of Birth' (three separate dropdown menus for 'month', 'day', and 'year'). At the bottom, there are three buttons: 'Previous', 'Verify', and 'Cancel'.

Registering for the Clearinghouse – Student Drivers

- Only select Student Driver if you are **not** participating in an employer-based training program
 - If participating an employer-based program, select “Driver”
- You will be required to designate a C/TPA
- Enter and validate your **current** commercial driver’s license (CDL) or commercial learner’s permit (CLP) information

The screenshot shows the 'DRUG & ALCOHOL CLEARINGHOUSE' registration interface. At the top, there are navigation links: 'My Profile', 'Learn', 'About', and 'Contact'. A progress bar indicates five steps: 'LOGIN.GOV', 'ROLE SELECTION', 'CONTACT INFORMATION', 'CDL', and 'TERMS & CONDITIONS'. The 'CDL' step is currently active, highlighted with a blue circle and the number '4'. Below the progress bar, there is a help message: 'Do you need help? Download step-by-step instructions for driver registration. ¿Necesita ayuda? Descargue las instrucciones para el registro de conductores.' The main heading is 'STEP 4 OF 5 Commercial Driver's License Information'. Below this, there is a sub-heading: 'Enter your **current** commercial driver's license (CDL) or commercial learner's permit (CLP) information below. This information will be verified against your information in the Commercial Driver's License Information System (CDLIS)'. The form contains several input fields: 'First Name', 'Last Name', 'Country' (a dropdown menu with 'country' selected), 'State' (a dropdown menu with 'state' selected), 'CDL Number', and 'Date of Birth' (split into 'month', 'day', and 'year' dropdown menus). At the bottom of the form, there are three buttons: 'Previous', 'Verify', and 'Cancel'.

Registering for the Clearinghouse – Owner-Operators

- Register as an employer
 - Link to your FMCSA Portal account (recommended)
- Select “Yes” when asked if you are an owner-operator
- Designate a C/TPA (required)
 - Must report violation information
 - May conduct queries
- Add/verify your CDL information
 - Needed to view Violation History and respond to query consent requests

The screenshot shows the 'STEP 4 OF 7' registration process for the Drug & Alcohol Clearinghouse. The progress bar at the top indicates that steps 1 through 3 (LOGIN.GOV, ROLE SELECTION, CONTACT INFORMATION) are completed, and step 4 (COMPANY INFORMATION) is the current step. The form is divided into several sections:

- Company Name:** A text input field for the company name.
- Company Type:** A section with a warning: "You must inform FMCSA if you are an owner-operator. This means that as an employer, you employ yourself as a CDL driver. This is typically a single-driver operation. Owner-operators have additional requirements to ensure the integrity of their company drug and alcohol program per § 382.103(b)." Below this is a question: "Are you an owner-operator?" with radio buttons for "Yes" and "No". A red arrow points to the "Yes" option.
- Contact Information:** Fields for "Phone Number" and "Type", "Alternate Phone Number (optional)" and "Type", and "Company Email Address (optional)".
- Address (Physical):** Fields for "Street", "City", "Country" (dropdown), "State" (dropdown with "Select a state" text), and "ZIP Code".
- Address (Mailing):** A checkbox labeled "Same as Physical Address" which is checked.

At the bottom of the form are three buttons: "Previous", "Next", and "Cancel".

Registering with an FMCSA Portal Account – Employers

- Employer Clearinghouse registration has two paths: FMCSA Portal users, and non-Portal users
 - An employer required to have a USDOT Number should have a Portal account
- Your Portal account must have the correct user role
 - **DACH Motor Carrier:** can query, report
 - **DACH Motor Carrier Admin:** can query, report, designate C/TPA, indicate carrier type

The screenshot shows the 'DRUG & ALCOHOL CLEARINGHOUSE' registration interface. At the top, there is a navigation bar with 'My Profile', 'Learn', 'About', and 'Contact' links. Below this is a progress indicator with seven steps: 1. LOGIN.GOV (checked), 2. ROLE SELECTION (active), 3. CONTACT INFORMATION, 4. COMPANY INFORMATION, 5. DESIGNATE C/TPA, 6. CDL, and 7. TERMS & CONDITIONS. The main heading is 'STEP 2 OF 7 Select Your Role'. A sub-heading reads: 'Your answer to the question below will determine which steps you will take to complete the Clearinghouse registration for you and your company.' The question is 'DO YOU HAVE AN FMCSA PORTAL ACCOUNT?'. There are two radio button options: 'YES I have an FMCSA Portal Account' and 'NO I do not have an FMCSA Portal Account'. At the bottom, there are 'Previous', 'Next', and 'Cancel' buttons.

The 'Portal Roles' section asks 'Not sure which Clearinghouse user role you will need?'. It offers two options: 'DACH Motor Carrier Admin (Employers)' represented by a truck icon, and 'DACH Motor Carrier (Assistants)' represented by a person icon.

To request an FMCSA Portal account, visit <https://portal.fmcsa.dot.gov/login>

Designating a C/TPA

- A consortium/third-party administrator (C/TPA) manages all, or part, of an employer's DOT drug and alcohol testing program
- Employers should contact the C/TPA prior to sending them a designation request in the Clearinghouse.

The screenshot shows the 'DRUG & ALCOHOL CLEARINGHOUSE' interface. At the top, there is a navigation bar with 'My Profile', 'Learn', 'About', and 'Contact' links. Below this is a progress indicator with seven steps: 1. LOGIN.GOV, 2. ROLE SELECTION, 3. CONTACT INFORMATION, 4. COMPANY INFORMATION, 5. DESIGNATE C/TPA (highlighted), 6. CDL, and 7. TERMS & CONDITIONS. The main content area is titled 'STEP 5 OF 7 Designate Your Consortium/Third-Party Administrator'. It includes instructions for employers, a note about identifying C/TPAs, and a warning to designate C/TPAs before querying driver records. A form section titled 'DESIGNATE YOUR C/TPA(S)' contains a text input field for 'Who is your C/TPA?' and a search icon. Below the form, there is a section for 'C/TPA not listed?' with instructions to contact the C/TPA if they are not registered. At the bottom, there are 'Previous', 'Next', and 'Cancel' buttons.

DRUG & ALCOHOL CLEARINGHOUSE

My Profile Learn About Contact

1 2 3 4 5 6 7
LOGIN.GOV ROLE SELECTION CONTACT INFORMATION COMPANY INFORMATION DESIGNATE C/TPA CDL TERMS & CONDITIONS

STEP 5 OF 7
Designate Your Consortium/Third-Party Administrator

As an employer who employs himself/herself as a driver (owner-operator), you must use one or more consortia/third-party administrators (C/TPAs) to manage your drug and alcohol testing program. A C/TPA manages all or part of an employer's DOT drug and alcohol testing program. They perform tasks as agreed to by the employer to help keep the employer compliant with the DOT/FMCSA Drug and Alcohol Testing rules and regulations.

You must identify your C/TPA(s) in the Clearinghouse by designating them below. This enables them to act on your behalf in the Clearinghouse, as required by § 382.705(b)(6). You should contact a C/TPA prior to designating them in the Clearinghouse.

You must designate your C/TPA(s) in the Clearinghouse before you can query driver records or report drug and alcohol program violations. You can designate your C/TPA now, or after you have completed your registration.

DESIGNATE YOUR C/TPA(S)

For each C/TPA you designate, you must indicate which actions the C/TPA may take your behalf. If you don't currently have a C/TPA, you may designate the C/TPA once you have acquired their services.

Note: Per § 382.711(b)(3), any changes to designated C/TPAs must be updated in the Clearinghouse within 10 days.

Who is your C/TPA?

C/TPA not listed?
A C/TPA must be registered in the Clearinghouse before they can be designated by an employer. If your C/TPA is not listed, contact them to confirm they have completed their Clearinghouse registration.

Previous Next Cancel

Designating a C/TPA (continued)

- C/TPAs must be registered in the Clearinghouse before they can be designated
- Employers select the actions a C/TPA may take on their behalf
- **Owner-operators must designate at least one C/TPA to complete the following:**
 - Report violations
 - Report RTD information

The screenshot shows the 'DRUG & ALCOHOL CLEARINGHOUSE' interface. At the top, there is a navigation bar with 'My Profile', 'Learn', 'About', and 'Contact' links. Below this is a progress indicator with seven steps: 1. LOGIN.GOV, 2. ROLE SELECTION, 3. CONTACT INFORMATION, 4. COMPANY INFORMATION, 5. DESIGNATE C/TPA (highlighted in blue), 6. CDL, and 7. TERMS & CONDITIONS. The main content area is titled 'STEP 5 OF 7 Designate Your Consortium/Third-Party Administrator'. It contains explanatory text about the role of a C/TPA and instructions on how to designate one. A search box is provided for finding a C/TPA, with the placeholder text 'Enter the name of the C/TPA managing your drug and alcohol testing program'. Below the search box, there is a section titled 'C/TPA not listed?' with further instructions. At the bottom, there are 'Previous', 'Next', and 'Cancel' buttons.

DRUG & ALCOHOL CLEARINGHOUSE

My Profile Learn About Contact

1 2 3 4 5 6 7

LOGIN.GOV ROLE SELECTION CONTACT INFORMATION COMPANY INFORMATION DESIGNATE C/TPA CDL TERMS & CONDITIONS

STEP 5 OF 7
Designate Your Consortium/Third-Party Administrator

As an employer who employs himself/herself as a driver (owner-operator), you must use one or more consortia/third-party administrators (C/TPAs) to manage your drug and alcohol testing program. A C/TPA manages all or part of an employer's DOT drug and alcohol testing program. They perform tasks as agreed to by the employer to help keep the employer compliant with the DOT/FMCSA Drug and Alcohol Testing rules and regulations.

You must identify your C/TPA(s) in the Clearinghouse by designating them below. This enables them to act on your behalf in the Clearinghouse, as required by § 382.705(b)(6). You should contact a C/TPA prior to designating them in the Clearinghouse.

You must designate your C/TPA(s) in the Clearinghouse before you can query driver records or report drug and alcohol program violations. You can designate your C/TPA now, or after you have completed your registration.

DESIGNATE YOUR C/TPA(S)

For each C/TPA you designate, you must indicate which actions the C/TPA may take your behalf. If you don't currently have a C/TPA, you may designate the C/TPA once you have acquired their services.

Note: Per § 382.711(b)(3), any changes to designated C/TPAs must be updated in the Clearinghouse within 10 days.

Who is your C/TPA?

C/TPA not listed?
A C/TPA must be registered in the Clearinghouse before they can be designated by an employer. If your C/TPA is not listed, contact them to confirm they have completed their Clearinghouse registration.

Previous Next Cancel

Registering for the Clearinghouse – C/TPA

- Confirm you are the Clearinghouse Administrator
 - If not, you will need to register as a Clearinghouse Assistant
 - Contact your company's Clearinghouse Administrator and ask them to send you an invitation to register
- Company contact information will be used to populate the list of C/TPAs employers can choose from
 - Make sure your clients know how you have listed your company name

The screenshot shows the registration process for the Drug & Alcohol Clearinghouse, specifically Step 4 of 5: Company Information. The interface includes a progress bar at the top with five steps: LOGIN.GOV, ROLE SELECTION, CONTACT INFORMATION, COMPANY INFORMATION (current step), and TERMS & CONDITIONS. A help link is visible: "Do you need help? Download step-by-step instructions for C/TPA registration." The form is divided into three main sections: Company Name, Contact Information, and Office Address. The Company Name section has a text input field for the name. The Contact Information section includes fields for Phone Number and Alternate Phone Number (optional), each with a dropdown menu for Type. The Office Address section includes fields for Street, City, Country, State (a dropdown menu with "Select a state" text), and ZIP Code. There is also an "Additional Address" section with a checkbox for "No additional address". At the bottom, there are "Previous", "Next", and "Cancel" buttons.

Registering for the Clearinghouse – MROs and SAPs

- MROs: Enter your MRO license information and self-certify you meet all MRO qualifications, per § [40.121](#)

The screenshot shows the 'MRO License' and 'MRO Basic Knowledge Confirmation' sections of the registration process. The progress bar indicates 'STEP 4 OF 5 Qualifications (1 of 2)'. The 'MRO License' section includes dropdown menus for 'License Type', 'Country', and 'State'. The 'MRO Basic Knowledge Confirmation' section contains a checkbox for confirming that the user meets all MRO basic knowledge criteria, followed by a list of specific requirements.

DRUG & ALCOHOL CLEARINGHOUSE

My Profile Learn About Contact

Do you need help? Download step-by-step instructions for MRO registration.

1 2 3 4 5

LOGIN.GOV ROLE SELECTION CONTACT INFORMATION QUALIFICATIONS TERMS & CONDITIONS

STEP 4 OF 5
Qualifications (1 of 2)

To complete your MRO duties in the Clearinghouse, you must confirm your qualifications. All fields are required unless otherwise noted.

MRO License

You must possess either a Doctor of Medicine or Doctor of Osteopathy license, as defined in § 40.121. Select which type of license you have and where it was issued.

License Type: Select a type Country: Select a country State: Select a state

MRO Basic Knowledge Confirmation

You must confirm you possess the basic knowledge as described below, and as defined in § 40.121.

I confirm that I meet ALL of the MRO basic knowledge criteria listed below.

- I am knowledgeable about and have clinical experience in controlled substances abuse disorders, including detailed knowledge of alternative medical explanations for laboratory confirmed drug test results.
- I am knowledgeable about issues relating to adulterated and substituted specimens as well as the possible medical causes of specimens having an invalid result.
- I am knowledgeable about this part, the DOT MRO Guidelines, and the DOT agency regulations applicable to the employers for whom you evaluate drug test results, and you must keep current on any changes to these materials.
- I am knowledgeable about part 49 CFR Part 40, the DOT MRO Guidelines, and the DOT agency regulations applicable to the employers for whom I evaluate drug test results, and I keep current on any changes to these materials. I also subscribe to the ODAPC list-serve.

DOT agency regulations, DOT MRO Guidelines, and other materials are available from ODAPC (Department of Transportation, 1200 New Jersey Avenue, SE, Washington, DC 20590, 202-366-3784), or on the ODAPC website.

Previous Next Cancel

- SAPs: Enter your SAP credential information and self-certify you meet all SAP qualifications, per § [40.281](#)

The screenshot shows the 'SAP Credentials' and 'SAP Basic Knowledge Confirmation' sections of the registration process. The progress bar indicates 'STEP 4 OF 5 Qualifications (1 of 2)'. The 'SAP Credentials' section includes dropdown menus for 'Credentials', 'Country', and 'State'. The 'SAP Basic Knowledge Confirmation' section contains a checkbox for confirming that the user meets all SAP basic knowledge criteria, followed by a list of specific requirements.

DRUG & ALCOHOL CLEARINGHOUSE

My Profile Learn About Contact

Do you need help? Download step-by-step instructions for SAP registration.

1 2 3 4 5

LOGIN.GOV ROLE SELECTION CONTACT INFORMATION QUALIFICATIONS TERMS & CONDITIONS

STEP 4 OF 5
Qualifications (1 of 2)

To complete your SAP duties in the Clearinghouse, you must confirm your qualifications. All fields are required unless otherwise noted.

SAP Credentials

You must have one of the following credentials, as defined in § 40.281. Select your credentials from the list below and where it was issued.

Credentials: Select credentials Country: Select a country State: Select a state

SAP Basic Knowledge Confirmation

You must confirm you possess the basic knowledge as described below, and as defined in § 40.281.

I confirm that I meet ALL of the SAP basic knowledge criteria listed below.

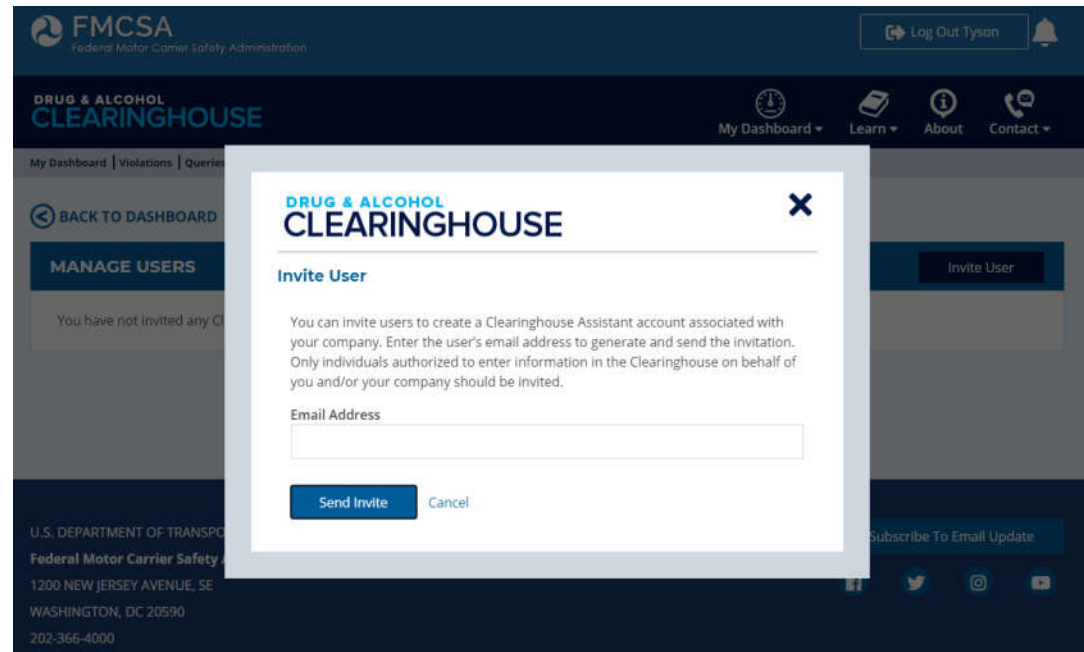
- I am knowledgeable about and have clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders.
- I am knowledgeable about 49 CFR Part 40, the DOT agency regulations applicable to the employers for whom I evaluate employees, and the DOT SAP Guidelines. I keep current on any changes to these materials. I also subscribe to the ODAPC list-serve.

DOT agency regulations, DOT SAP Guidelines, and other materials are available from ODAPC (Department of Transportation, 1200 New Jersey Avenue, SE, Washington DC, 20590, 202-366-3784, or on the ODAPC website.

Previous Next Cancel

Inviting Other Users

- Invite Assistant(s)
 - Ensure continuous access
 - Employers: not required for Portal users
 - Drivers do not have this feature
- Additional Administrators register on the Clearinghouse website



Queries and Consent Requests







Query Requirement

- A query is a check of the Clearinghouse to ensure a CDL driver is not prohibited from performing safety-sensitive functions (such as operating a CMV) due to a drug and alcohol program violation
- All queries require driver consent

Query Type	Description
Pre-employment query	Required for all newly hired CDL drivers
Annual query	Follows a rolling 12-month calendar Example: A query on driver J. Smith on December 1, 2022 satisfies the annual query requirement for J. Smith until December 1, 2023

Consent Requirements Based on Type of Query

Reason for Query	Type of Query	Consent Required
<p>Annual query</p> 	<p>Limited query</p> 	<p>General consent, done outside the Clearinghouse</p> <p>May be electronic or wet signature, one time or unlimited</p> <p>Limited consent form must specify time range</p>
<p>Pre-employment query</p> 	<p>Full query</p> 	<p>Specific consent, provided electronically within the Clearinghouse</p> <p>Required for each full query of an individual driver</p>



Download a [sample general consent form](#).

- If a driver refuses consent for any query, the query cannot be conducted and the driver is prohibited from performing safety-sensitive functions *for that employer*.

Query Results – Limited Query

Query Complete



Result: Driver Not Prohibited

No violation information was found in the Clearinghouse for the driver you queried.

The driver is not prohibited from performing safety-sensitive functions based on the information available in the Clearinghouse.

[View My Queries](#)

[Conduct Another Query](#)

Query Complete



Result: Record(s) Found; Full Query Needed

Information related to drug and alcohol program violations has been found in the Clearinghouse record of the driver you queried. To determine if this driver is prohibited from performing safety-sensitive functions, you will need to conduct a full query.

You must obtain the driver's electronic consent before you can conduct the full query and access the driver's detailed information.

If the full query is not conducted within 24 hours, the driver must be removed from safety-sensitive functions.

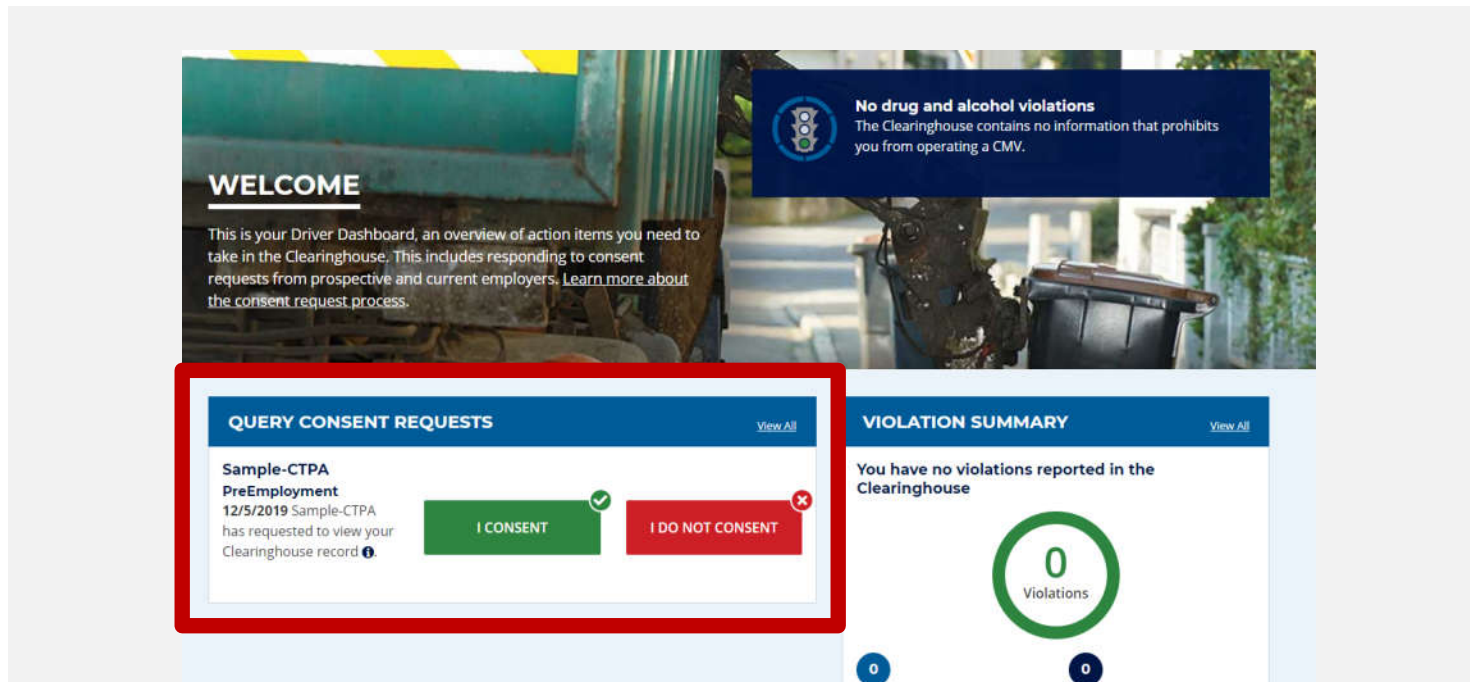
[Send Consent Request](#)

[Conduct Another Query](#)

“Record(s) Found” is not necessarily a notification that a queried driver is prohibited from performing safety-sensitive functions. The full query is needed to determine the driver’s eligibility status.

Drivers Responds to Consent Request in the Clearinghouse

- Drivers will log in to the Clearinghouse to respond to a consent request
 - Query consent requests will be displayed on the Driver Dashboard



Employer Query Results – Full Query

Sample Driver (US-CA-987654) Record ID: QUERY.MEXTB.Y1GM

Employer Conducting Query: Sample Employer

Query Result: Driver Prohibited

Query Status: Completed (11/24/2020 13:44:05)

Conducted By: Sample Employer | **Query Type:** Pre-employment | **Query Submitted:** Manually

Driver Information	Consent Information	Query History
Name: Sample Driver Date of Birth: 1/1/1970 CDL/CLP ⓘ: US-CA-987654	Requested: 11/23/2020 14:27:31 Recorded: 11/23/2020 17:56:52 Status: Provided	Created: 11/24/2020 13:42:59 Completed: 11/24/2020 13:44:05

[View Query Details](#)

Query Detail

Query Overview

Employer Conducting Query: Sample Employer

Query Result: Driver Prohibited

Query Status: Completed (11/24/2020 13:44:05)

Conducted By: Sample Employer | **Query Type:** Pre-employment | **Query Submitted:** Manually

Driver Information	Consent Information	Query History
Name: Sample Driver Date of Birth: 1/1/1970 CDL/CLP ⓘ: US-CA-987654	Requested: 11/23/2020 14:27:31 Recorded: 11/23/2020 17:56:52 Status: Provided	Created: 11/23/2020 14:27:31 Completed: 11/24/2020 13:44:05

Open Violations

Employer Information

Sample Employer (USDOT# 123456)
123 Main Street
Springfield, CA 12345

Driver Information

Sample Driver
DOB: 1/1/1970 **CDL/CLP#:** 987654
Country: United States **State:** California

Violation Information

Record ID: TEST.PN9LA.XWZW
Type of Violation: Drug test refusal
Reason for Test: Random
Type of Test Refusal: Failed to appear for any test

Test Results Entered By

Sample Employer (USDOT# 123456) (11/23/2020 1:31:58 PM)

Driver's View of Violation Information

Violation History

Reported On: 11/19/2020 12:46:47 PM Reason for Test: None Record ID: TEST.ZF25Z.KUW1

Reported By: Sample Employer Status: Open

Actual knowledge of an alcohol violation



[View RTD Process Details](#)

[View Violation Details](#)

If you believe information has been inaccurately reported, you can file a petition to initiate a data review.

A drug or alcohol violation will remain in the Clearinghouse until the violation is successfully resolved, or five years have passed since the date of the violation determination, whichever is later. The Clearinghouse does not contain violations recorded against a driver prior to January 6, 2020.

Violation Details

Return to Duty (RTD) Status

Status: Open - Initial SAP Assessment Complete

SAP Request Sent: 11/19/2020

SAP Designated: 11/19/2020

Initial SAP Assessment: 11/22/2020

Determined Eligible for RTD Testing: Not Completed

RTD Test with Negative Result: Not Completed

Follow-Up Testing Plan: Not Completed

Employer Information

Sample Employer

Main Street
Springfield, CA 12345

Driver Information

AndyG Driver2J

DOB: 2/25/1963 CDL/CLP#: CDL1234

Country: United States State: California

Violation Information

Record ID: TEST.ZF25Z.KUW1

Type of Violation: Actual knowledge of an alcohol violation

Alcohol Use: On-Duty

Actual Knowledge Type: Information provided by previous employer

Test Results Entered By

Presidential Employer (11/19/2020 12:46:47 PM)

Notification of New Information

- If information is entered or modified in a driver's Clearinghouse record **within 12 months of a previous query** on that driver, the employer will be notified via email.
 - The Query History will also be updated to reflect this
- A follow-on query is needed to determine if the new information results in the driver having a "prohibited" Clearinghouse status
 - Click **Send Consent Request** to request driver consent for the follow-on query
 - Employer is not charged for a follow-on query

The screenshot shows a notification interface for a driver's Clearinghouse record. At the top right, the Record ID is 'QUERY.24S1FX.R947'. The driver is identified as 'Sample Driver (US-CA-1234567)'. The employer conducting the query is 'Sample Employer'. The query result is 'Result Not Available' with an information icon. The query status is 'Specific consent required (2/1/2023 14:01:18)'. The query was conducted by 'Firstname Lastname', is a 'Limited' query type, and was submitted manually. A central message box explains that new information in the driver's record may require a follow-on query to determine if the driver has a 'Prohibited' status, which requires sending a new consent request. Below this message are two buttons: 'Send Consent Request' and 'Close Query'.

Record ID: QUERY.24S1FX.R947

Sample Driver (US-CA-1234567)

Employer Conducting Query: Sample Employer

Query Result: Result Not Available ⓘ

Query Status: Specific consent required (2/1/2023 14:01:18)



Conducted By: Firstname Lastname | Query Type: Limited | Query Submitted: Manually

There is new information in this driver's Clearinghouse record. To determine if this information resulted in the driver having a "Prohibited" Clearinghouse status you will need to conduct a follow-on query, which requires sending the driver a new consent request.

If you click **Send Consent Request** below, this will send a consent request to the driver. There is no charge for this follow-on query.

[Send Consent Request](#) [Close Query](#)

Follow-on Query

Reason for Query	Type of Query	Consent Required
Follow-on query 	Full query 	Specific consent, provided electronically within the Clearinghouse

“New information” is not necessarily a notification that a queried driver is prohibited from performing safety-sensitive functions. The full query is needed to determine the driver’s eligibility status.

- Employer should complete follow-on query within 24 hours.
- If a driver refuses consent, the query cannot be conducted and the driver is prohibited from performing safety-sensitive functions *for that employer*.

Violations and Return-to-Duty



Reporting Violations – Employers and C/TPAs

What is the employer or designated C/TPA required to report?

INFORMATION TO BE REPORTED TO CLEARINGHOUSE

(must be reported by close of the third business day following the date the employer obtained the information)



Prospective/Current
Employer of CDL Driver

Or

Service agent acting on
behalf of Current
Employer of CDL Driver

An alcohol confirmation test with a concentration of 0.04% or higher

Refusal to test (alcohol) as specified in 49 CFR 40.261

Refusal to test (drug) not requiring a determination by the MRO as specified in 49 CFR 40.191

Actual knowledge, as defined in 49 CFR 382.107, that a driver has used alcohol on duty, used alcohol within four hours of coming on duty, used alcohol prior to post-accident testing, or has used a controlled substance

Negative RTD test results (drug and alcohol testing, as applicable)

Completion of follow-up testing

Actual Knowledge: What It Is, What It Isn't



- Actual knowledge must be based on one of the following:
 - Employer's direct observation of an employee
 - A traffic citation for driving a CMV while under the influence of alcohol or controlled substances
 - An employee's admission of alcohol or controlled substance use, except as provided in §382.121
- A verified positive drug test result does not qualify as actual knowledge
- When reporting actual knowledge, employers must upload supporting documentation. This may include:
 - Citation for DUI in a CMV that requires a CDL
 - Statement from the driver's supervisor
 - Statement from the driver

Actual Knowledge Based on Issuance of a Citation

- A CDL or CLP holder charged with a DUI in a CMV has violated part 382, subpart B, regardless of whether driver is convicted of the offense
- Driver will be required to go through the return-to-duty (RTD) process
- Violation will remain in the Clearinghouse for 5 years, or until the driver has completed RTD, whichever is later
- Driver may submit documentary evidence of non-conviction to their Clearinghouse record

Reporting Violations – MROs and SAPs

What information is the MRO or SAP required to report?

	INFORMATION TO BE REPORTED TO CLEARINGHOUSE	DEADLINE FOR REPORTING INFORMATION
MRO 	Verified positive, adulterated, or substituted drug test result	Within two business days of making a determination or verification of a DOT-approved drug test
	Refusal to test (drug) requiring a determination by the MRO as specified in § 40.191	
	Changes a verified drug test per part § 40.149	Within one business day of making any change in the reported results
SAP 	Identification of driver and date the initial assessment was initiated	By the close of the business day following the date of initial assessment
	Date of determination of eligibility for RTD testing	By the close of the business day following the determination that the driver completed the RTD process

Return-to-Duty (RTD) Process



A driver with a drug and alcohol program violation is prohibited from performing safety-sensitive functions, including operating CMVs, for any DOT-regulated employer until the RTD process is complete.

The steps drivers must take to complete the RTD process is established by 49 CFR part 40, subpart O, as follows:

1

Select a Substance Abuse Professional (SAP) and successfully complete education/ treatment plan.

2

Take the return-to-duty test.

3

When employer enters negative RTD test, Clearinghouse status is “not prohibited” and driver is eligible to resume performing safety-sensitive functions.



By November 18, 2024, as part of new Federal regulations, drivers with a “prohibited” status in the Clearinghouse will lose or be denied their State-issued commercial driving privileges.

The Clearinghouse Second Final Rule

- Federal Register Publication Date: October 7, 2021
- Effective Date: November 8, 2021
- Establishes requirements for State Driver Licensing Agencies (SDLAs) regarding commercial driving privileges
- **Compliance Date: November 18, 2024**
- Federal Motor Carrier Safety Regulation Parts Affected:
 - Parts 382, 383, 384, 390, and 392



Read the Clearinghouse-II final rule at:

<https://www.regulations.gov/document/FMCSA-2017-0330-0036>

Clearinghouse-II: Commercial Driving Privileges

Beginning November 18, 2024:

CDL Downgrade

- When a CDL driver's Clearinghouse status changes to "prohibited," the SDLA must **remove the commercial driving privileges**
- The commercial driving privilege will be reinstated if/when the driver's status changes to "not prohibited"

CDL Non-Issuance

- Before any commercial licensing transaction, the SDLA will query the Clearinghouse
- If the driver has a "prohibited" status, the SDLA will **deny the commercial licensing transaction**



**Commercial licensing transactions include:
issuing, renewing, transferring, or upgrading a CDL, or
issuing, renewing, or upgrading a CLP**

Common Issues and Frequently Asked Questions



Common Issues – Incorrect Role

Issue	Possible Resolution
<ul style="list-style-type: none">• Employer cannot designate C/TPA	<ul style="list-style-type: none">• Employer is incorrectly registered as C/TPA or Driver – contact Clearinghouse Tech Support at https://clearinghouse.fmcsa.dot.gov/Contact
<ul style="list-style-type: none">• Employer cannot purchase query plan	<ul style="list-style-type: none">• Employer is incorrectly registered as C/TPA – contact Clearinghouse Tech Support at https://clearinghouse.fmcsa.dot.gov/Contact

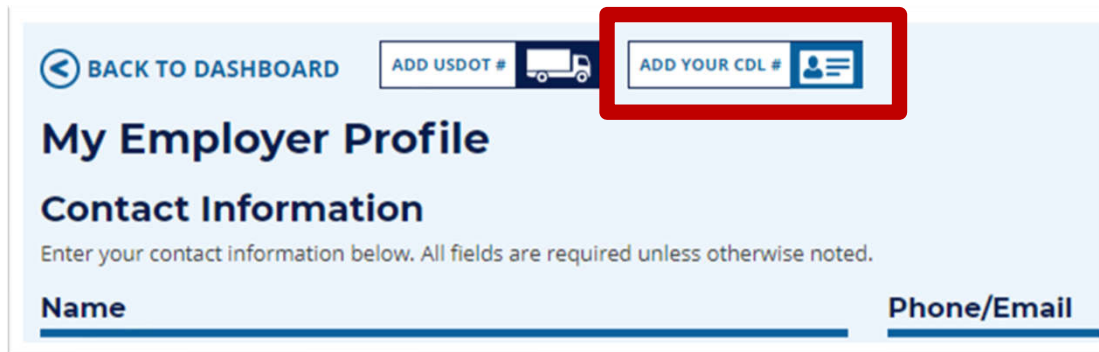
Common Issues – Navigate Multiple Roles

- If you are registered with multiple roles (ex: individual user that works for multiple employers)
 - While logged in, locate “Current Role” in page header
 - Use dropdown to switch between roles
- If you do not see this dropdown, you do not have multiple roles



Common Issues – How to Add or Update CDL Information

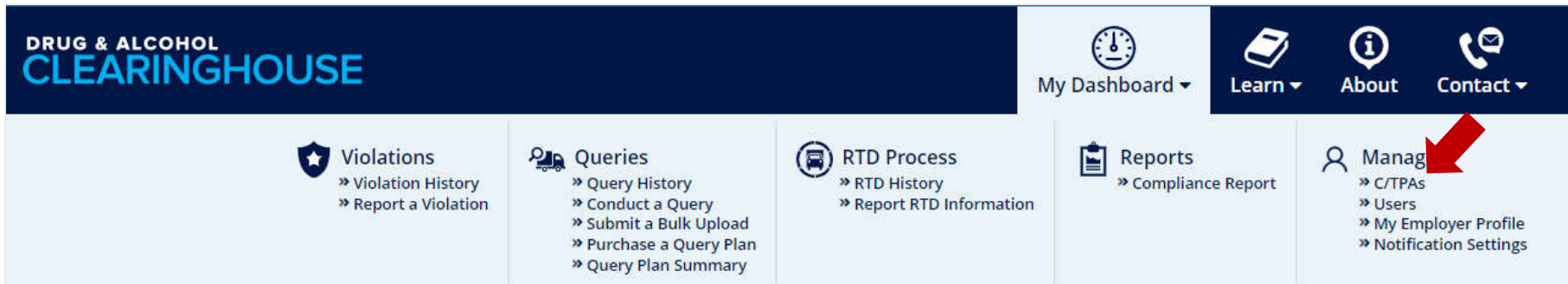
- Navigate to “My Dashboard > Manage > My Employer Profile” or “My Driver Profile” (depending on your user role)
- Click **Add Your CDL #** above your contact information
 - If you already validated a CDL, the button will say “Update Your CDL #”
- Enter information; enter CDL number without any spaces or dashes
- Click **Verify CDL**



The screenshot shows a user interface for "My Employer Profile". At the top, there are three buttons: "BACK TO DASHBOARD" with a left arrow icon, "ADD USDOT #" with a truck icon, and "ADD YOUR CDL #" with a person icon. The "ADD YOUR CDL #" button is highlighted with a red rectangular box. Below the buttons is the heading "My Employer Profile" and the sub-heading "Contact Information". A note below the sub-heading reads: "Enter your contact information below. All fields are required unless otherwise noted." At the bottom, there are two input fields: "Name" and "Phone/Email", both with blue underlines.

Common Issues – Add or Update C/TPA

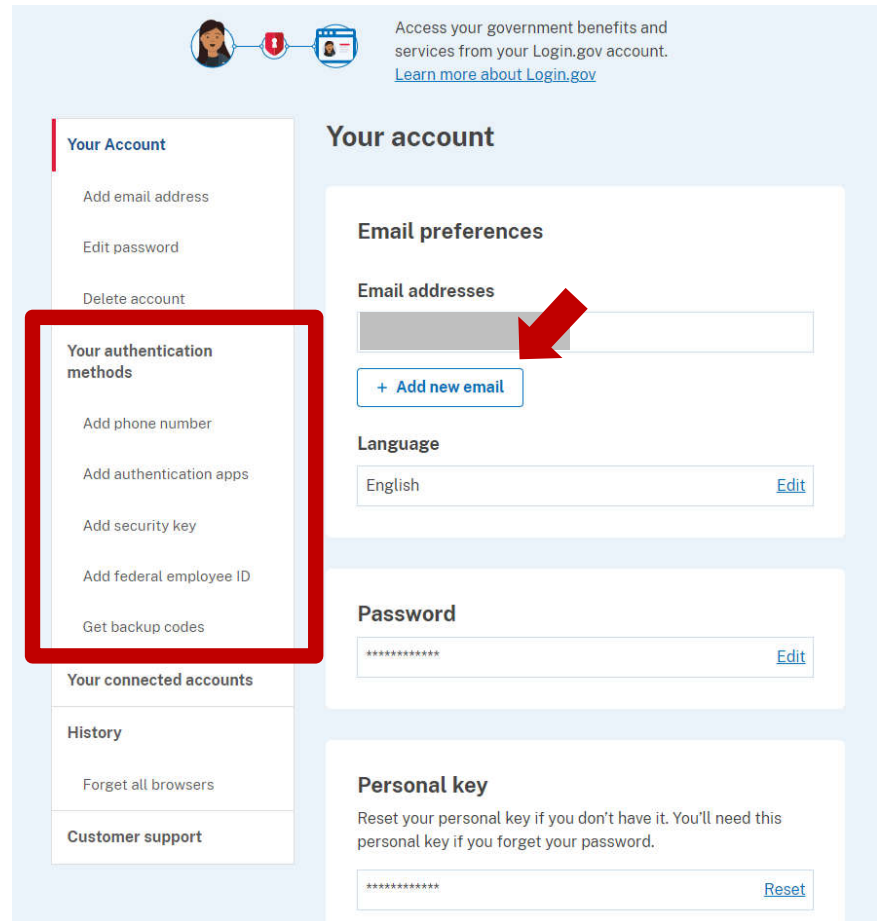
- Navigate to “My Dashboard > Manage > C/TPAs”
 - Note: Employer role must be set to DACH Motor Carrier Admin in Portal



- Can an employer designate more than one C/TPA?
 - Yes.

Common Issues – Login.gov

- Change email address
 - Log in to <https://secure.login.gov/>.
 - Click **+ Add new email** and follow instructions.
- Change authentication method
 - Log in to <https://secure.login.gov/>.
 - In the side navigation, locate “Your authentication methods” and click the option you need.



Common Issues – Drivers

Issue	Possible Resolution
<ul style="list-style-type: none">• Driver cannot view query or violation information	<ul style="list-style-type: none">• Violation not yet reported – verify with MRO or Employer• Violation had incorrect CDL information – verify with MRO or Employer• Driver does not have a validated CDL in their Clearinghouse account – follow instructions to “Add a CDL #”
<ul style="list-style-type: none">• Driver cannot designate a SAP	<ul style="list-style-type: none">• Violation not yet reported – verify with MRO or Employer• SAP is not registered in Clearinghouse – contact SAP• Driver is entering incorrect name – verify you are entering the name as it was entered by the SAP during their Clearinghouse registration

FAQs – Driver Registration

- **Will every driver need to register in the Clearinghouse?**
 - No. A driver will only need to register if they need to provide consent to the employer in the Clearinghouse for pre-employment/full queries.
 - If a driver is currently with an employer, never incurs a drug or alcohol violation, and never seeks other employment, then the driver does not need to register in the Clearinghouse.
- **Can an employer register their drivers in the Clearinghouse?**
 - No. Individual drivers will need to register themselves. Registration and login will require users to complete the verification process.

FAQs – Violations

- **Does the Clearinghouse contain violations that occurred prior to January 6, 2020?**
 - No, the Clearinghouse contains only violations that occur on or after January 6, 2020.
- **How long is the violation information retained in the Clearinghouse?**
 - 5 years or until the follow-up testing plan is successfully completed, whichever is later.
- **Can an MRO or employer report a drug and alcohol program violation if the driver is not registered for the Clearinghouse?**
 - Yes. The Clearinghouse will associate the violation with a driver's CDL information. This will be recorded even if the driver has not registered for the Clearinghouse.

FAQs – Violations (continued)

- **Is the driver's social security number (SSN) or employee identification number (EIN) required when reporting violation information or querying the Clearinghouse?**
 - No, per § [382.705](#), the employer shall provide the driver's CDL number and State of issuance.
- **What information is required on the Custody and Control Form (CCF) or Alcohol Testing Form (ATF)?**
 - The driver's CDL number and state of issuance must be entered in lieu of the driver's SSN or EIN, per § [382.123](#).
- **Will FAQs and other outreach materials about the Clearinghouse be updated?**
 - Yes, the Clearinghouse website (<https://clearinghouse.fmcsa.dot.gov>) will be updated regularly with new information, including the factsheet and FAQs. In addition, you will be able to sign up for email updates.

FAQs – Violations (continued)

- **Who will record positive alcohol results for an owner/operator?**
 - The designated C/TPA would be responsible to record this violation information regarding the owner/operator they work with.
 - An owner/operator may view and query their own information.
 - An owner/operator will be required to self-identify as an owner/operator and will be required to designate a C/TPA to access their Clearinghouse account.

FAQs – Inaccurate Violation Information

- **What information may be challenged by the driver?**
 - The accuracy of the information reported.
 - Report of employer's actual knowledge the driver received a traffic citation for driving a CMV while under the influence of drugs or alcohol if it did not result in a conviction.
 - Accuracy of test results and refusals may not be challenged.
- **How does a driver change or remove inaccurate data?**
 - The driver may submit a petition via FMCSA's DataQs system.
 - FMCSA will review petition and notify driver of decision to remove, retain, or correct information in the Clearinghouse and the reason for decision.
 - If the driver believes a petition decision was made in error, he/she may submit a request for an Administrative Review.
 - Request must include an explanation why he/she believes FMCSA made an error in their decision.
 - Driver informed of decision.
 - Decision will constitute as the final Agency action.

FAQs – Canadian and Mexican Drivers

- **Are Canadian and Mexican drivers conducting operations in the United States subject to the Clearinghouse requirements?**
 - Yes, only Canadian and Mexican drivers operating in the United States are required to comply with FMCSA drug and alcohol testing requirements and must comply with the Clearinghouse final rule.
- **Must Canadian and Mexican employers report drug and alcohol program violations to the Clearinghouse?**
 - Yes, only Canadian and Mexican employers operating in the United States are required to comply with FMCSA drug and alcohol testing requirements and must report drug and alcohol violations to the Clearinghouse.

FAQs – Other Modes and Non-CDL Drivers

- **Will a prospective employee's drug and alcohol violation history with other DOT modes be available in the Clearinghouse?**
 - No, the Clearinghouse will contain only drug and alcohol program violation information for employees subject to the testing requirements under the Federal Motor Carrier Safety Regulations in 49 CFR part 382.
- **Are employers of non-CDL drivers who operate CMVs required to query or report violations to the Clearinghouse?**
 - No. Only employers who employ drivers subject to 49 CFR parts 382 and 383 must query or report information to the Clearinghouse.

FAQs – Query Plans

- **Why purchase a query plan?**
 - Employers are charged a fee for conducting queries in the Clearinghouse.
 - Employer must purchase a query plan to ensure they or their designated C/TPAs can conduct queries.
- **Can C/TPAs purchase a query plan?**
 - No, only employers can purchase query plans.
- **How does the employer purchase a query plan?**
 - Query plans may only be purchased from FMCSA on the Clearinghouse website. Download the [How to Purchase a Query Plan job aid](#) factsheet to learn more.
- **Which query plan is right for me?**
 - Query bundles
 - Purchase the number of queries equal to the number of your current employees (satisfy your annual queries needs)
 - Purchase additional query plans, as needed
 - Unlimited query subscription
 - High volume users

FAQs – Query Plans (continued)

**UNLIMITED
QUERY PLAN**

\$24,500
One annual payment

- ✓ Expires 12 months after date of purchase*

**INDIVIDUAL
QUERY PLAN**

\$1.25
Flat per query rate (limited or full)

- ✓ Flat per query rate (\$1.25), for limited and full queries
- ✓ Bundles customized to meet your business needs
- ✓ Queries never expire
- ✓ Purchase additional query plans, as needed

Query Bundle	Plan Cost
1	\$1.25
2	\$2.50
3	\$3.75
4	\$5.00
5	\$6.25
10	\$12.50
20	\$25.00
50	\$62.50
100	\$125.00
150	\$187.50
200	\$250.00
300	\$375.00
500	\$625.00
1,000	\$1,250.00
1,500	\$1,875.00
2,000	\$2,500.00
2,500	\$3,125.00
5,000	\$6,250.00
7,500	\$9,375.00

Recommended for High-volume users

FAQs – Bulk Queries

- How does an employer or consortium/third-party administrator (C/TPA) submit multiple query consent requests at one time?
 - Log in to the Clearinghouse. Navigate to “My Dashboard > Queries > Submit a Bulk Upload.”
 - Download the [Bulk Upload Template File](#).
 - Edit the template file to include the appropriate driver information.
 - Note: C/TPAs: If you work with multiple employers, you will need to upload a separate file for each employer.
 - Click **Choose a file...**, select your file, and click **Upload File**.

The screenshot shows the 'SUBMIT A BULK UPLOAD' page in the Drug & Alcohol Clearinghouse. The page includes a navigation bar with 'My Dashboard', 'Learn', 'About', and 'Contact'. Below the navigation bar, there are tabs for 'Upload' and 'Review & Submit'. The main content area contains instructions for submitting a bulk upload, a list of steps, and a form with a 'Bulk Query File (maximum size 500kb)' field and a 'Description (optional)' field. A red arrow points to the 'Choose a file...' button in the file field. To the right, there is a 'LEARN MORE' section with links to 'Bulk Upload Template File', 'How to Conduct a Limited Query (C/TPAs)', and 'How to Conduct a Full Query (C/TPAs)'. At the bottom, there are 'Upload File' and 'Cancel' buttons.

FAQs – Return-to-Duty

- **Will a driver's follow-up testing plan be available in the Clearinghouse?**
 - No, follow-up testing plans will not be uploaded into the Clearinghouse.
 - When a prospective employee has not completed a follow-up testing plan prescribed by the SAP, the subsequent new employer must obtain the follow-up testing plan from the previous employer as required in § [382.413](#), continue administering the remaining follow-up tests, and report the date the follow-up testing plan was complete to the Clearinghouse.
- **Will follow-up testing be tracked within the Clearinghouse?**
 - No, follow-up testing will not be tracked in the Clearinghouse.
 - The follow-up testing plan completion date is reported to the Clearinghouse.
 - However, if there is a positive follow-up test result, it must be reported as a new violation.
 - The RTD process would be re-initiated after the new violation is entered.

FAQs – General

- **If a driver is on the road and unable to access a computer, how can the driver access the Clearinghouse?**
 - The Clearinghouse is mobile-friendly. The driver will be able to access the Clearinghouse from a smart phone, log in and view their information as well as provide consent and identify their substance abuse professional, if applicable.
- **Will FAQs and other outreach materials about the Clearinghouse be updated?**
 - Yes, the Clearinghouse website at <https://clearinghouse.fmcsa.dot.gov> will be updated regularly with new information, including the factsheet and FAQs. In addition, you will be able to sign up for email updates.

**Are you
registered?
If not,
register
today.**

- Register your company and/or yourself
- Designate C/TPA (employers, if applicable)
- Set up Assistants (employers, C/TPAs, SAPs, MROs)
- Encourage drivers to register



Next Steps



Register

For information to get started, visit
<https://clearinghouse.fmcsa.dot.gov/Register>

For more information:

- Visit the Clearinghouse Learning Center at <https://clearinghouse.fmcsa.dot.gov/Learn> for resources and answers to common questions

Contact us:

- Mark Audette, Florida Division
- (850) 942-9338

Contact Clearinghouse Team:

- <https://clearinghouse.fmcsa.dot.gov/Contact>
- Call 844-955-0207