

DRUG & ALCOHOL CLEARINGHOUSE

Commercial Vehicle Safety Center

November 2021



Agenda

- 1 OVERVIEW OF THE CLEARINGHOUSE**
About the Congressional mandate and what it means
- 2 REGISTRATION**
Creating a Clearinghouse account
- 3 QUERIES AND CONSENT REQUESTS**
Query and consent requirements in the Clearinghouse
- 4 REPORTING VIOLATIONS**
Violations reported to the Clearinghouse
- 5 COMMON ISSUES AND STATISTICS**
Common issues users are experiencing and a look at the data that has been reported to the Clearinghouse
- 6 NEXT STEPS & MORE INFORMATION**
How you can register, learn more, and get technical support

Overview of the Clearinghouse

The FMCSA Commercial Driver's License Drug and Alcohol Clearinghouse

Database containing CDL/CLP drivers' drug and alcohol violation information

- Reported by employers and medical review officers (e.g., positive tests, refusals, etc.)
- Violations in the Clearinghouse make the driver immediately prohibited from operating a CMV
- Includes whether a driver has successfully completed the mandatory return-to-duty (RTD) process following a violation

Clearinghouse information is not available to general public

- Only authorized users will be able to access the Clearinghouse for designated purposes
- State Driver's Licensing Agencies (SDLA) and State law enforcement agencies, will receive only driver eligibility status (i.e., Prohibited/Not Prohibited)
- Drivers can access their own information, but not information of other drivers

Increasing safety on our Nation's roadways

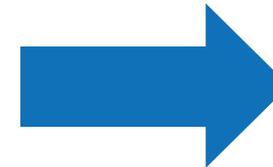


Real-time access to reported violation information for select registered users

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

The Clearinghouse Rules

- **Initial Rule:**
 - Mandated by Congress in MAP-21
 - Published: December 5, 2016
 - Established requirements for the Clearinghouse
 - Implemented: **January 6, 2020**
- **Second rule:**
 - State Driver's Licensing Agency Non-Issuance/Downgrade of Commercial Driver's License
 - Published: October 7, 2021
 - Effective date: November 8, 2021
 - Implementation date: **November 18, 2024**



Major Clearinghouse Rule II Provisions

- Non-issuance
- Mandatory CLP and CDL downgrade
- Application of the state query requirement to CLP holders
- Addition of the CMV driving prohibition to Part 392
- Actual knowledge violations based on issuance of a citation for DUI in a CMV

Am I 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 Substance and Alcohol Testing regulations in 49 CFR Part 382

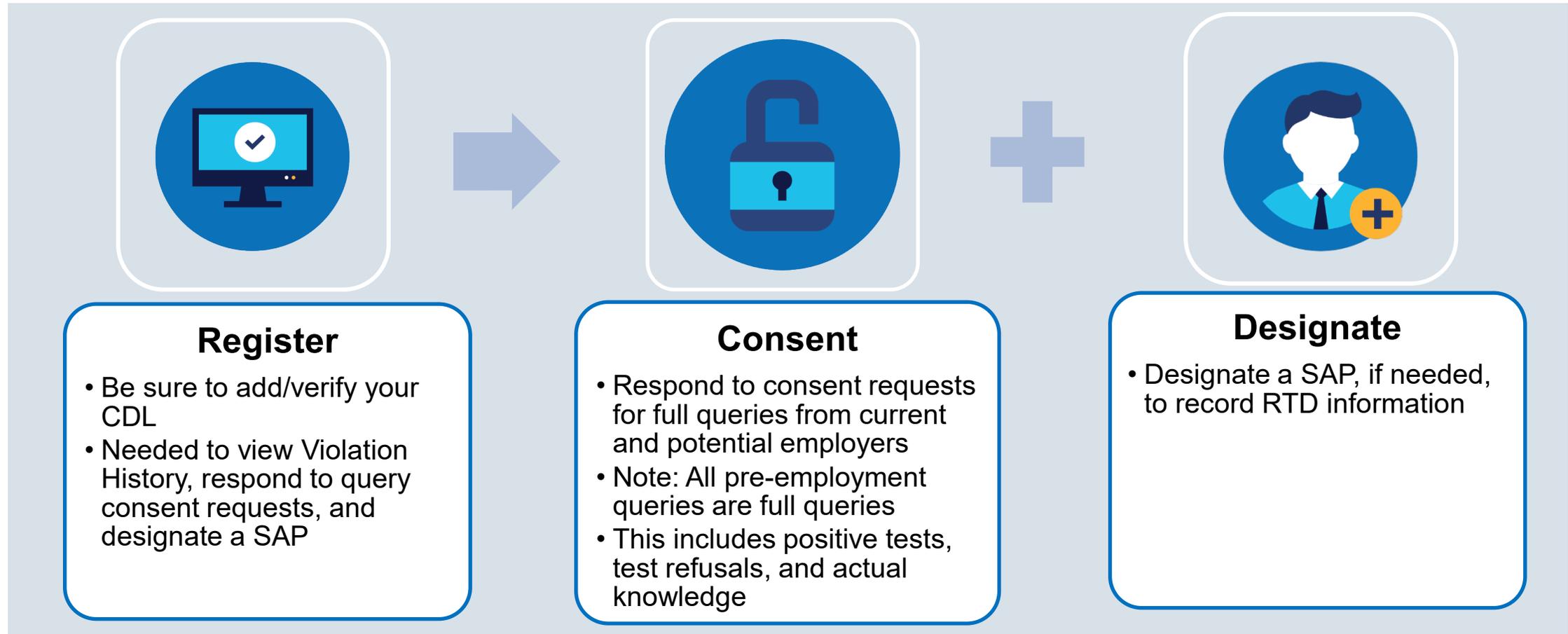
Learn more about the specific actions each user can take at:

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

Employer Requirements



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 49 CFR 382.703(c).

MRO and SAP Requirements

MRO

Register

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



Report

- Positive, adulterated, substituted drug tests or test refusals



SAP

Register

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

Report

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

Registration

Registering in 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

Select Your Role

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

<input type="radio"/> Student Driver		<input type="radio"/> Driver		<input type="radio"/> Employer	
<input type="radio"/> Consortium/Third-Party Administrator (C/TPA)		<input type="radio"/> Medical Review Officer (MRO)		<input type="radio"/> Substance Abuse Professional (SAP)	

I will:

- Respond to query consent requests (requests from employers and consortia/third-party administrators (C/TPAs) to view my Clearinghouse record).
- Review my electronic Clearinghouse record.
- Designate a C/TPA.

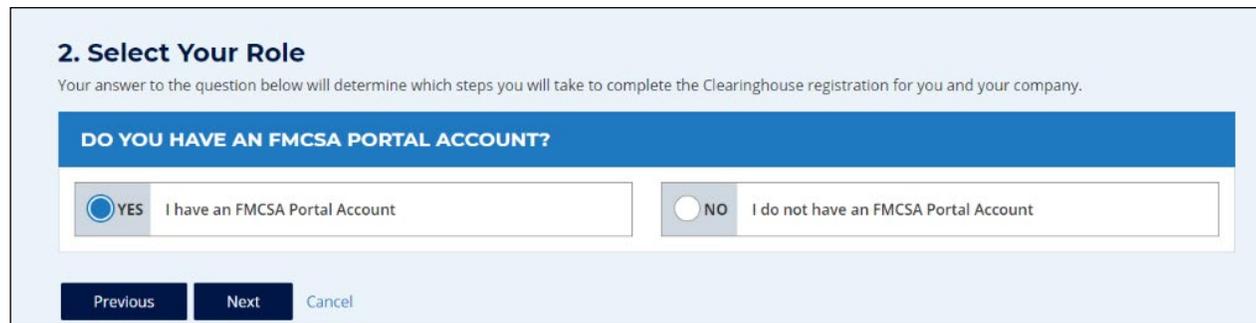
Are you an employee of a motor carrier?
If so, select **Driver** above.

If you are a student driver in a training program that is **not** affiliated with or operated by a motor carrier, you must designate a consortium/third-party administrator (C/TPA) during your Clearinghouse registration. Select **Register as a Student Driver** below to continue.

[Register as a Student Driver](#)

Registering with an FMCSA Portal Account – Employers

- Employer Clearinghouse registration has two paths: FMCSA Portal users, and non-Portal users
 - If you have, or should have, a USDOT Number, you 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



2. Select Your Role
Your answer to the question below will determine which steps you will take to complete the Clearinghouse registration for you and your company.

DO YOU HAVE AN FMCSA PORTAL ACCOUNT?

YES I have an FMCSA Portal Account NO I do not have an FMCSA Portal Account

Previous Next Cancel

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

Registering without an FMCSA Portal Account – Employers

- Step by step instructions:
 - <https://clearinghouse.fmcsa.dot.gov/Resource/Index/Registration-Instructions-Employer-without-Portal>
- Carrier administrator will register and invite assistants.
- Assistants can be upgraded to an administrator role
- Each carrier account can have more than 1 admin and assistants

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 FMCSA website interface for the Drug & Alcohol Clearinghouse. At the top, there are navigation links for 'About DOT', 'Our Activities', and 'Areas of Focus', along with 'Register' and 'Login' buttons. Below this is a progress bar with six steps: 1. LOGIN.GOV, 2. ROLE SELECTION, 3. CONTACT INFORMATION, 4. COMPANY INFORMATION, 5. DESIGNATE C/TPA (the current step), and 6. TERMS & CONDITIONS. A help icon and text above step 5 read: 'Do you need help? Download step-by-step instructions for employer registration.'

5. 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. 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 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.

At the bottom, there are three buttons: 'Previous', 'Next', and '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 FMCSA Drug & Alcohol Clearinghouse registration process. At the top, there are links for 'About DOT', 'Our Activities', and 'Areas of Focus'. The main header includes the FMCSA logo and 'Federal Motor Carrier Safety Administration' with 'Register' and 'Login' buttons. Below this is the 'DRUG & ALCOHOL CLEARINGHOUSE' header with 'Learn', 'About', and 'Contact' icons. A progress bar shows six steps: LOGIN.GOV, ROLE SELECTION, CONTACT INFORMATION, COMPANY INFORMATION, DESIGNATE C/TPA (current step), and TERMS & CONDITIONS. A help bubble above step 5 says 'Do you need help? Download step-by-step instructions for employer registration.' Below the progress bar, the section is titled '5. Designate Your Consortium/Third-Party Administrator'. The text explains that employers must use one or more C/TPAs to manage drug and alcohol testing programs. A note states that changes to designated C/TPAs must be updated within 10 days. There is a search box for 'Who is your 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 for 'C/TPA not listed?' which states that a C/TPA must be registered in the Clearinghouse before being designated. At the bottom, there are 'Previous', 'Next', and 'Cancel' buttons.

Student Drivers

- Student Drivers:
 - Are not employees of a driving school unless hired by the school or lease a CMV from the school
 - Student drivers in training programs that are *not affiliated with or operated by motor carriers* must **Register as a Student Driver**
- A student driver meets the definition of a “driver” and is subject to Part 382
- Student Drivers are required to designate a consortium/ third-party administrator (C/TPA) to comply with testing and reporting requirements.
- C/TPA *may* be the school

Designate Your Consortium/Third-Party Administrator

As a student driver enrolled in an independent training program, you must designate a consortium/third-party administrator (C/TPA). A C/TPA is a service agent that performs tasks to help keep an employer or a student driver compliant with the DOT/FMCSA Drug and Alcohol Testing rules and regulations.

You must identify your C/TPA 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 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? Q

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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.

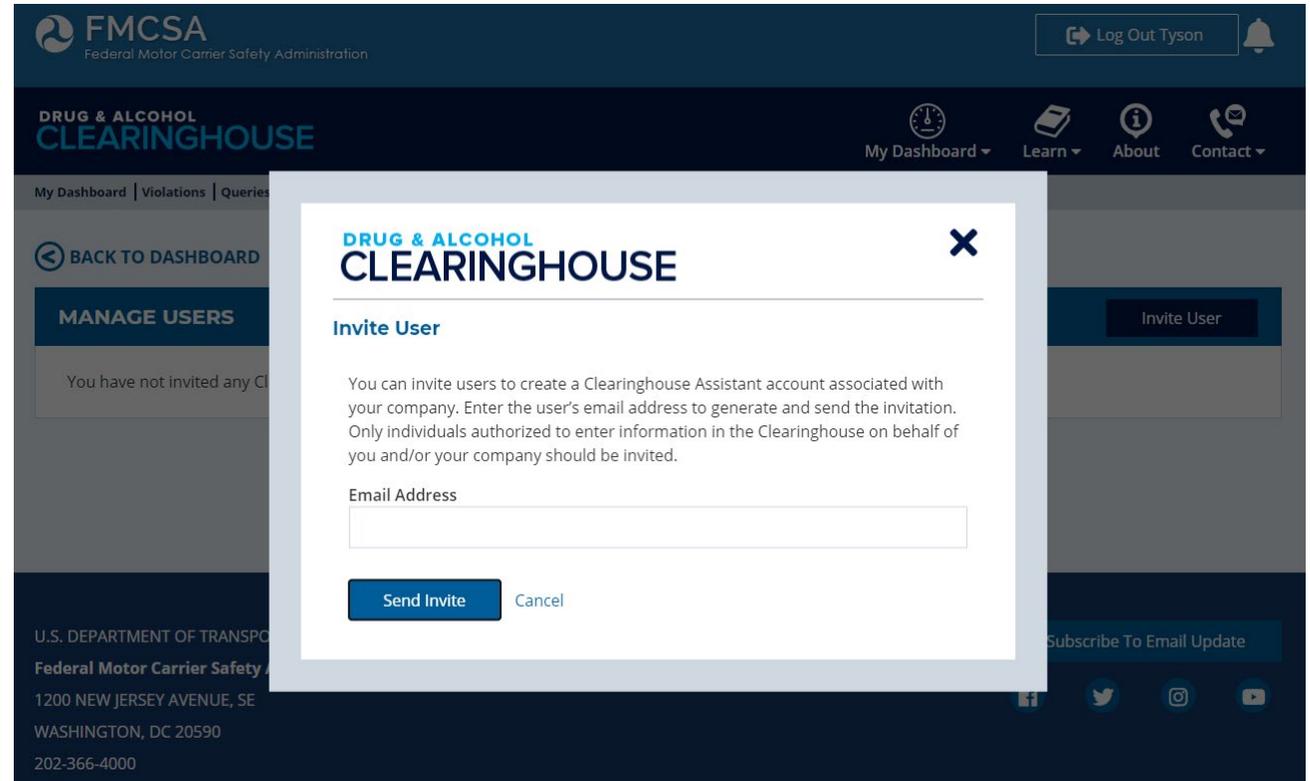
Previous
Next
Cancel

To designate a C/TPA:
Enter the name of your C/TPA in the field labeled Who is your C/TPA? and click on the search icon or hit Enter.

Inviting Other Users

- Invite Assistant(s)
 - Ensure continuous access
 - Employers: not required for Portal users

- 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

Purpose	Description
Pre-employment query	Required for all newly hired CDL drivers - Until January 5, 2023, a manual check is still required for the prior 3 years
Annual query	Follows a rolling 12-month calendar <i>Example: Query driver J. Smith on December 1, 2020 – not required to query J. Smith again until December 1, 2021</i>

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 Plans

Query Plan Summary

 **Query Balance:** 9,773 remaining [View Query Plan Summary](#) [Purchase a Query Plan](#) [Conduct a Query](#)

QUERY SUMMARY

<p>0</p> <p>Queries Conducted In the past 12 months ⓘ</p>	<p>8</p> <p>Queries Pending ⓘ</p>	<p>9,773</p> <p>Query Balance ⓘ</p>
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Transaction History

Purchase Date	Purchased By	Plan Purchased	Status
12/6/2019 11:26 AM	Sample-Employer@example.com	5 Query Plan	Paid (Receipt)

Purchasing a Query Plan

- Payment is processed via pay.gov.
- Payment methods include:
 - Electronic funds transfer from bank accounts (ACH)
 - Credit card (Visa, MasterCard, American Express, Discover)
 - Debit card (Visa, MasterCard)
 - Digital wallet (Amazon Pay, PayPal)
 - Digital wallet payments cannot be more than \$10,000 per transaction
- FMCSA does not provide invoices or purchase orders.
- Employers must purchase the query plan. C/TPAs may not purchase a query plan on behalf of an employer.
- If you conduct queries on behalf of more than one employer, each company must have its own query plan.

How to Conduct a Query – Enter Driver Information

▪ Driver Information

- Driver's name, date of birth, and CDL number and state/country of issuance
- Information will be verified against FMCSA systems
 - Employer or C/TPA will have two attempts to enter the driver's information correctly
 - If the information cannot be validated, the query can not be conducted

Driver Information
Query Type
Conduct Query

Driver Information

A query checks to see if a driver has information about resolved or unresolved drug and alcohol program violations in his or her Clearinghouse record. Which driver's record do you want to query?

First Name

Last Name

Date of Birth

month

▼

day

year

CDL/CLP Number

Country of Issuance

country ▼

State of Issuance

state ▼

Verify Driver Information

Cancel

How to Conduct a Query – Select Query Type

Driver Information > Query Type > Conduct Query

Query Type

WHICH TYPE OF QUERY DO YOU NEED TO CONDUCT?

LIMITED QUERY Results will determine if an individual driver's Clearinghouse record has any information about resolved or unresolved drug and alcohol program violations. General consent from the driver is required (obtained outside the Clearinghouse).
 I certify that I have obtained the driver's general consent to conduct limited queries in the Clearinghouse and that this limited query falls within the timeframe specified by that general consent.

FULL QUERY Results will include detailed information about any drug and alcohol program violations in a driver's Clearinghouse record, including the driver's eligibility to perform safety-sensitive functions such as operating a CMV. Electronic consent is required.

Previous Next Cancel

Driver Information > Query Type > Conduct Query

Query Type

WHICH TYPE OF QUERY DO YOU NEED TO CONDUCT?

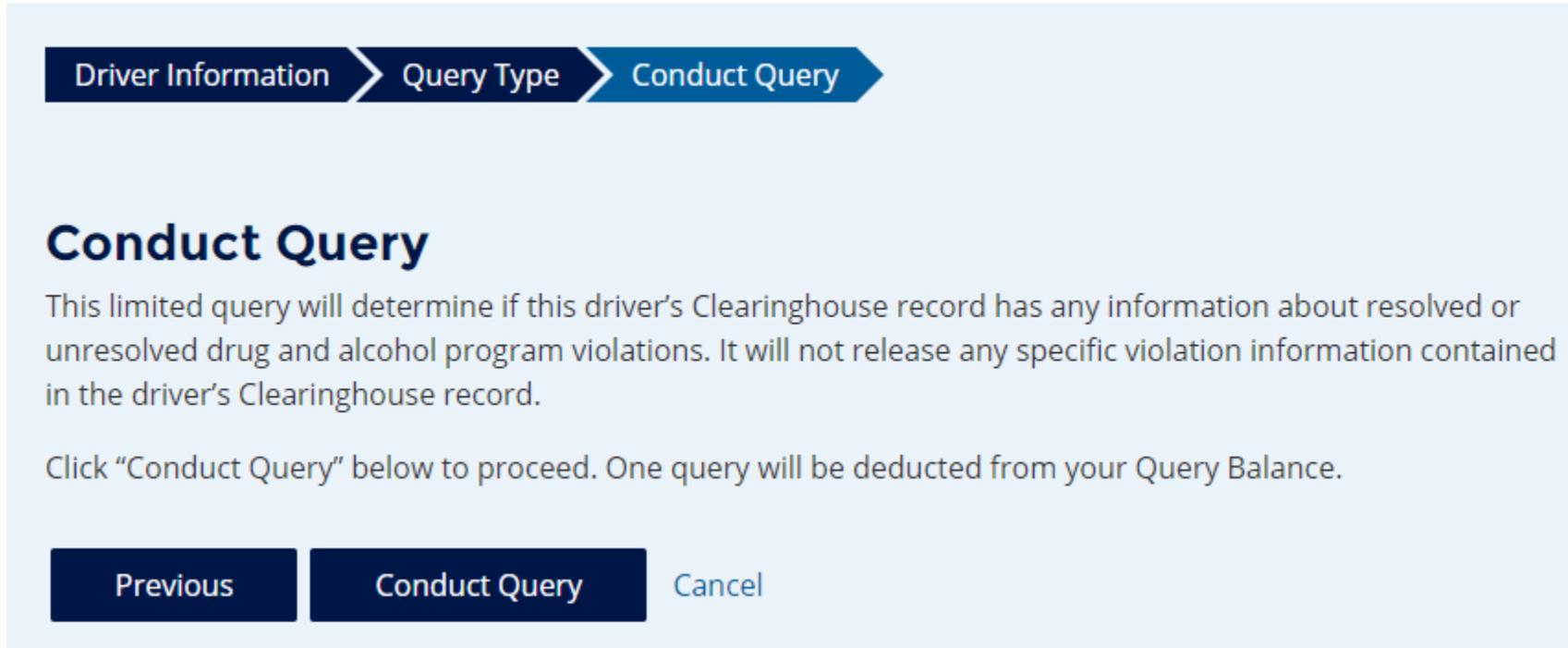
LIMITED QUERY Results will determine if an individual driver's Clearinghouse record has any information about resolved or unresolved drug and alcohol program violations. General consent from the driver is required (obtained outside the Clearinghouse).

FULL QUERY Results will include detailed information about any drug and alcohol program violations in a driver's Clearinghouse record, including the driver's eligibility to perform safety-sensitive functions such as operating a CMV. Electronic consent is required.
Is this full query being conducted as part of a pre-employment screening?
 Yes No

Previous Next Cancel

How to Conduct a Query – Limited Query

- Click **Conduct Query** to proceed with the limited query
 - One query will be deducted from the employer’s Query Balance



The screenshot shows a navigation bar with three steps: 'Driver Information', 'Query Type', and 'Conduct Query'. The 'Conduct Query' step is highlighted in blue. Below the navigation bar, the heading 'Conduct Query' is displayed. The text explains that this limited query checks for resolved or unresolved drug and alcohol program violations without releasing specific violation information. It also states that clicking 'Conduct Query' will deduct one query from the user's Query Balance. At the bottom, there are three buttons: 'Previous', 'Conduct Query', and 'Cancel'.

Driver Information > Query Type > Conduct Query

Conduct Query

This limited query will determine if this driver’s Clearinghouse record has any information about resolved or unresolved drug and alcohol program violations. It will not release any specific violation information contained in the driver’s Clearinghouse record.

Click “Conduct Query” below to proceed. One query will be deducted from your Query Balance.

Previous Conduct Query Cancel

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 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.

How to Conduct a Query – Send Consent Request (Full Query)

- After you click “Send Consent Request,” FMCSA will send a notification to the driver whose CDL information you entered/verified.
 - If the driver is already registered, he/she will receive the notification via the contact method specified during registration (email or USPS).
 - If the driver is not registered, FMCSA will send a letter via USPS to the address associated with the CDL.

Driver Information
Query Type
Request Consent

Request Driver Consent

Before FMCSA can release to you detailed information from the driver’s Clearinghouse record, you must obtain the driver’s electronic consent in the Clearinghouse.

To obtain the driver’s electronic consent, click “Send Consent Request” below.

One query will be deducted from your Query Balance once the consent request has been sent. If the driver refuses his or her consent, your Query Balance will be credited.

Previous
Send Consent Request
Cancel

Consent Requested

✓

The consent request has been sent.

You will receive a notification email once the driver has responded to the consent request.

You can check the status of the consent request on your [Queries](#) page.

Note: The driver must be registered in the Clearinghouse to respond to this consent request.

If this driver is not registered in the Clearinghouse, he or she will receive a letter via United States Postal Service (allow 1-2 weeks for delivery) advising him or her to register in the Clearinghouse to respond to this consent request

To avoid delays, encourage the driver to register in the Clearinghouse and respond to this request.

Conduct Another Query

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

The screenshot displays the Driver Dashboard interface. At the top, a banner features a traffic light icon and the text: "No drug and alcohol violations. The Clearinghouse contains no information that prohibits you from operating a CMV." Below this, a "WELCOME" section explains the dashboard's purpose. The main content area is divided into two panels: "QUERY CONSENT REQUESTS" and "VIOLATION SUMMARY".

WELCOME
This is your Driver Dashboard, an overview of action items you need to take in the Clearinghouse. This includes responding to consent requests from prospective and current employers. [Learn more about the consent request process.](#)

QUERY CONSENT REQUESTS [View All](#)

Sample-CTPA
PreEmployment
12/5/2019 Sample-CTPA has requested to view your Clearinghouse record ⓘ

I CONSENT ✓ I DO NOT CONSENT ✗

VIOLATION SUMMARY [View All](#)

You have no violations reported in the Clearinghouse

0 Violations

Employer Query Results – Full Query

Sample Driver (US-CA-987654)

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-emp

Driver Information

Name: Sample Driver
Date of Birth: 1/1/1970
CDL/CLP ⓘ: US-CA-987654

Consent Inform

Requested: 11/1/2020
Recorded: 11/2/2020
Status: Provide

[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

Name: Sample Driver
Date of Birth: 1/1/1970
CDL/CLP ⓘ: US-CA-987654

Consent Information

Requested: 11/23/2020 14:27:31
Recorded: 11/23/2020 17:56:52
Status: Provided

Query History

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: N

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

A drug or alcohol violation will remain in the Clearinghouse until the viol
determination, whichever is later. The Clearinghouse does not contain v

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

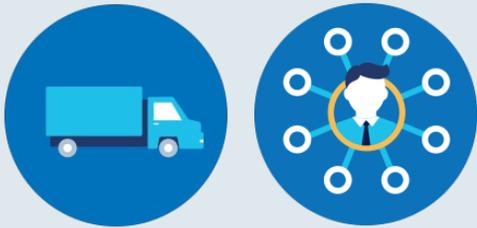
Presidential Employer (11/19/2020 12:46:47 PM)

Reporting Violations in the Clearinghouse

Reporting Violations – Employers and C/TPAs

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

INFORMATION TO BE REPORTED TO CLEARINGHOUSE



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
 - Information provided by the driver's previous employer(s)
 - 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 §383.21
- A verified positive drug test result does not qualify as actual knowledge
- When reporting actual knowledge, employers must upload supporting documentation. This may include:
 - Notification to report for testing (date, time, location)
 - Any emails between the employer and the driver
 - Documents of termination or resignation

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 49 CFR 40.191	
	Changes a verified drug test per 49 CFR Part 40	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

Reporting Refusals

Reporting Entity	Refusal Type
Employer/DER Reported Refusal	Fail to appear at a urine collection site when directed to report
	Fail to remain at the urine collection site
	Fail to provide a urine specimen
	Fail to permit a monitored or observed urine collection
	Fail or decline to take an additional drug test the employer or collector has directed
	Fail to cooperate with any part of the urine collection process
	For an observed collection, fail to follow the instructions to raise and lower clothing and turn around
	Possess or wear a prosthetic or other device that could be used to interfere with the collection process
	Admit to the collector to having adulterated or substituted the specimen
MRO Reported Refusal	Fail to provide a sufficient amount of urine without a medical reason
	Fail to undergo a medical examination or evaluation the MRO or employer has directed
	Adulterate or substitute a urine specimen

How to edit violation information

The screenshot shows the FMCSA Drug & Alcohol Clearinghouse user interface. At the top, there is a navigation bar with 'My Dashboard', 'Learn', 'About', and 'Contact' options. A red box highlights the 'Violations' menu item, which includes sub-options for 'Violation History' and 'Report a Violation'. Below the navigation, a text instruction reads: 'Locate the violation and click **View Violation Details**.' The main content area displays a list of 'Violations Reported' with a 'Report Violation' button. A sample violation record is shown with the following details: 'Sample Driver 1', 'Record ID: [redacted]', 'Reported On: 6/24/2020 12:35:03 PM', 'Reason for Test: Pre-employment', and 'Reported By: Sample-MRO@example.com'. The violation status is 'Positive drug test'. A red box highlights the 'View Violation Details' button at the bottom of the violation record.

- Under **My Dashboard**, go to **Violations** and access your **Violation History**, click on **View Violation Details**.
- If you have entered a violation in error, you can submit a request to have the violation removed.
 - The request will be reviewed by FMCSA.
- If the CDL number needs to be updated, the violation will need to be removed and re-entered

How to edit violation information

- To edit a violation, click the pencil icon
- To remove a violation, click the request to remove violation button.
- Enter a detailed removal reason.
 - If additional information is required, FMCSA may reach out to you.

My Dashboard | Violations | Manage

Violation Details

Employer of Driver

Sample Employer (USDOT: [REDACTED])

Driver Information

Sample Driver 1

DOB: [REDACTED] CDL/CLP#: [REDACTED]

Country: [REDACTED] State: [REDACTED]

Violation Information

Record ID: [REDACTED]

Type of Violation: Positive drug test

Test Date: 6/24/2020 Verified Result: 6/24/2020

Reason for Test: Pre-employment

Specimen ID Number: [REDACTED]

Tested Positive For: Marijuana Metabolite (Δ9-THCA)

Test Results Entered By

Sample MRO, (Sample-MRO) (6/24/2020 12:35:03 PM)

Request to Remove Violation

LEARN MORE

The Return-to-Duty Process

DRUG & ALCOHOL
CLEARINGHOUSE X

Request for Violation Removal

Enter the reason why you need this violation removed in the box below. This will send a request to FMCSA. If approved, FMCSA will remove the violation from the Clearinghouse.

Reason for violation removal:

Request to Remove Violation
Cancel

Frequently Asked Questions

- **What information may be challenged by the driver?**
 - The accuracy of the information reported
 - 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 the 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

Frequently Asked Questions

- The return-to-duty (RTD) process has not changed
 - Driver must designate a DOT-qualified SAP after a positive or refusal
 - Note: Employer must provide the driver with a list of potential SAPs
 - Designated SAP will enter dates about the driver's initial assessment and eligibility for RTD
 - Driver will need to take a RTD test, negative test results are recorded in the Clearinghouse by the employer or designated C/TPA
- Will a driver's follow-up testing plan be available in the Clearinghouse?
 - No, follow-up testing plans will not be included in a driver's Clearinghouse record.
 - 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, and report the date the follow-up testing plan was completed.

Revised CCF

- August 17, 2020, the Office of Management and Budget (OMB) approved a revised Federal Drug Testing Custody and Control Form (CCF).
- The prior CCF was authorized for use through August 29, 2021.
- As of **August 30, 2021**, DOT-regulated employers and their service agents **must** use the revised CCF.

Inspectors and Investigators Actions

Roadside

- **Determine if a driver is prohibited due to a drug or alcohol program violation**
 - Review the CVSA Bulletin (Revised: Sept. 2, 2021)
 - <https://www.cvsa.org/wp-content/uploads/Inspection-Bulletin-2020-02-Clearinghouse.pdf>
 - Conduct query in CDLIS Gateway or in Query Central
 - If the driver is prohibited cite 390.3(e), this is an out of service violation
 - Future: cite 392.15, per Clearinghouse Rule II

Investigations and Audits

- Federal Users:
 - Access the Clearinghouse using Portal credentials
 - View carrier's registration, queries conducted, and violations reported
- State Users
 - Use Query Central or CDLIS Gateway to determine if a driver is prohibited from performing safety-sensitive functions
 - Request proof of registration and queries conducted from employers and/or Division office
 - Employers must be able to: produce copies of Clearinghouse information for the investigator (if requested)

Common Issues

login.gov Issues

- Cannot access account
 - Forgot user ID and/or password
 - Cannot receive security code
 - Cannot access back up codes
 - Solution: delete login.gov account. Link to instructions: <https://login.gov/help/manage-your-account/delete-your-account/>
- Update email address
 - Log in to <https://secure.login.gov/>.
 - Scroll to “Login Information”
 - Click on “Add email”. Then, click on “Delete” next to the email address you are replacing.
- Change authentication method
 - Log in to <https://secure.login.gov/>.
 - Scroll to add or edit “Two-Factor Authentication.”
- Need assistance
 - Go to <https://login.gov/contact/>

The screenshot displays the 'login.gov' account management interface. It is divided into two main sections: 'LOGIN INFORMATION' and 'TWO-FACTOR AUTHENTICATION'.
The 'LOGIN INFORMATION' section includes:

- Email addresses:** A list with one redacted email address and a '+ Add email' button.
- Password:** A field with masked characters (*****), an 'Edit' link, and a '+ Add security key' button.

The 'TWO-FACTOR AUTHENTICATION' section includes:

- Phone numbers:** A list with two redacted phone numbers, each with a 'Manage' link, and a '+ Add phone' button.
- Authentication app:** A field with the value 'not enabled' and a '+ Add' button.
- Security key:** A field with a '+ Add security key' button.

Registration - Employer

Incorrect Role

- **Employer registered as a C/TPA**
 - Contact FMCSA to delete account. User must re-register with correct role
- **Employer registered as an Assistant, not as an Admin**
 - If linked to Portal – update role from DACH Motor Carrier to DACH Motor Carrier Admin
 - If not linked to Portal. Employer admin must upgrade assistant to admin under My Dashboard->Manage-> Users
- **Employer registered as a Driver**
 - If employer is only an employer and not a driver
 - Solution: Contact FMCSA to delete account. User must re-register with correct role
 - If employer is both an employer and a driver:
 - If have Portal account – Under My Dashboard->My Driver Profile, click on “Link your Portal account”.
 - If not linked to Portal, contact FMCSA to delete account. User must re-register with correct role
 - Solution: Under My Dashboard->My Employer Profile, click on “Add CDL Information”.

Report Violations - Employer

Under **My Dashboard**, go to **Violations** and click on **Report Violation**

- Enter driver's name, date of birth, and CDL number and state/country of issuance
 - **IMPORTANT:** Driver social security number (SSN) cannot be entered in the Clearinghouse
 - Remove spaces and hyphens and include leading zeros when entering the CDL number
- Information will be verified against FMCSA systems
 - Employer will have two attempts to enter the driver's information correctly
 - After the 2nd attempt, click the "Next" button to continue reporting the violation
 - Violation will be flagged for FMCSA

Conduct Queries - Employer

- **Cannot conduct queries**
 - Check query plan
 - If no queries available, purchase new query plan
 - Ensure you are entering the correct CDL information
 - Remove spaces and hyphens from the CDL number
 - Include leading zeros
 - Enter the correct DOB
 - If Mexican license, enter MX for both country and state
 - Allow the issuing states 10 business days to update the driver's record
 - Ensure CDL is not expired
 - Ensure the driver has not obtained a CDL in a different state
 - Ensure the driver possesses a CDL or CLP

Conduct Queries - Employer

▪ Bulk queries

- Ensure the bulk query template format is correct
 - Do not include middle names
 - Do not include suffices (e.g., Sr., Jr., I, II, III, etc.)
 - Ensure DOB format is correct (MM/DD/YYYY)
 - Remove extra spaces before and after text in data field
 - Ensure state and country codes are correct
- Verify available query balance is sufficient for the number of queries trying to conduct
- Link to bulk query instructions and template:
<https://clearinghouse.fmcsa.dot.gov/Resource/Index/Bulk-Upload-Template>

Common Issues – Driver

- **Incorrect role**
 - **Driver registered as an Employer**
 - If driver is only a driver and not an employer
 - Solution: Contact FMCSA to delete account. User must re-register with correct role
 - If user is both a driver and an employer:
 - Solution: Under My Dashboard->My Employer Profile, click on “Add CDL Information”.
- **Cannot validate CDL**
 - Ensure entering CDL information correctly
 - Remove spaces and hyphens from the CDL number
 - Include leading zeros
 - Enter the correct DOB
 - If Mexican license, enter MX for both country and state
 - Allow the issuing states 10 business days to update the driver’s record
- **Cannot provide consent**
 - Ensure the driver entered and validated their CDL
 - Ensure the employer submitted a query

Statistics

Clearinghouse Statistics

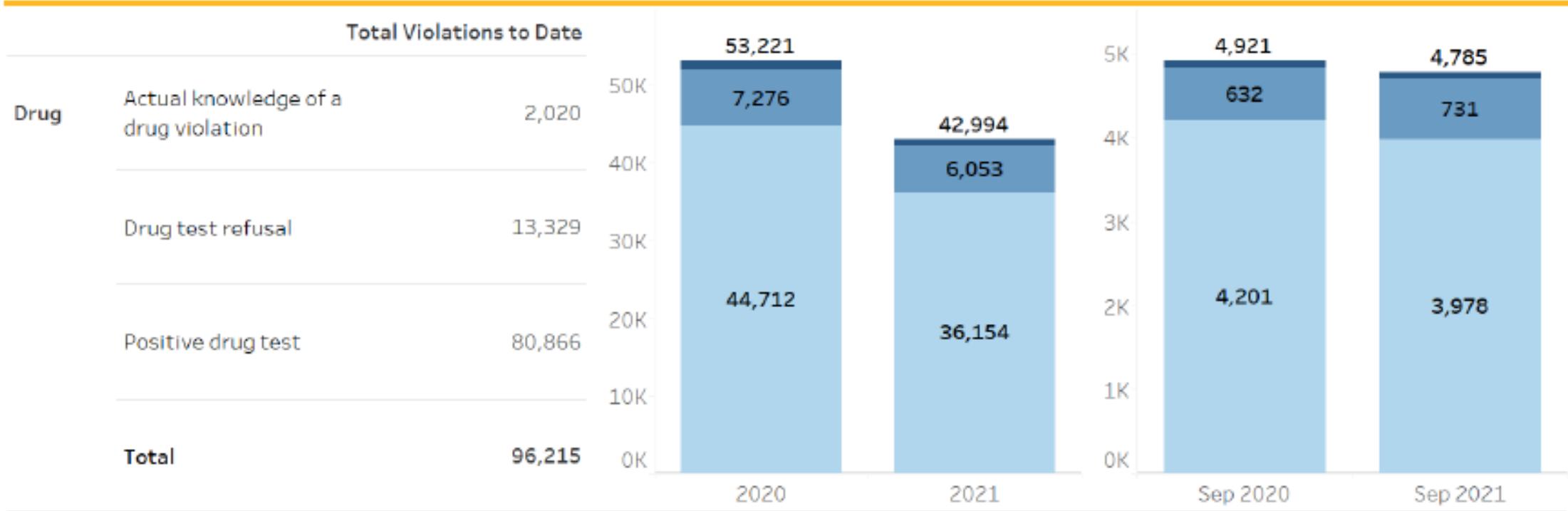
- Data posted monthly
- <https://clearinghouse.fmcsa.dot.gov/Learn>
- Registrations: 2,673,889 as of October 1, 2021

Registrations				
	2019	2020	2021	Total
Drivers	198,366	1,407,715	771,026	2,374,107
Employers	41,120	142,356	98,755	282,231
C/TPAs	2,936	6,290	2,990	12,216
MROs	922	702	219	1,843
SAPs	1,133	1,686	673	3,292

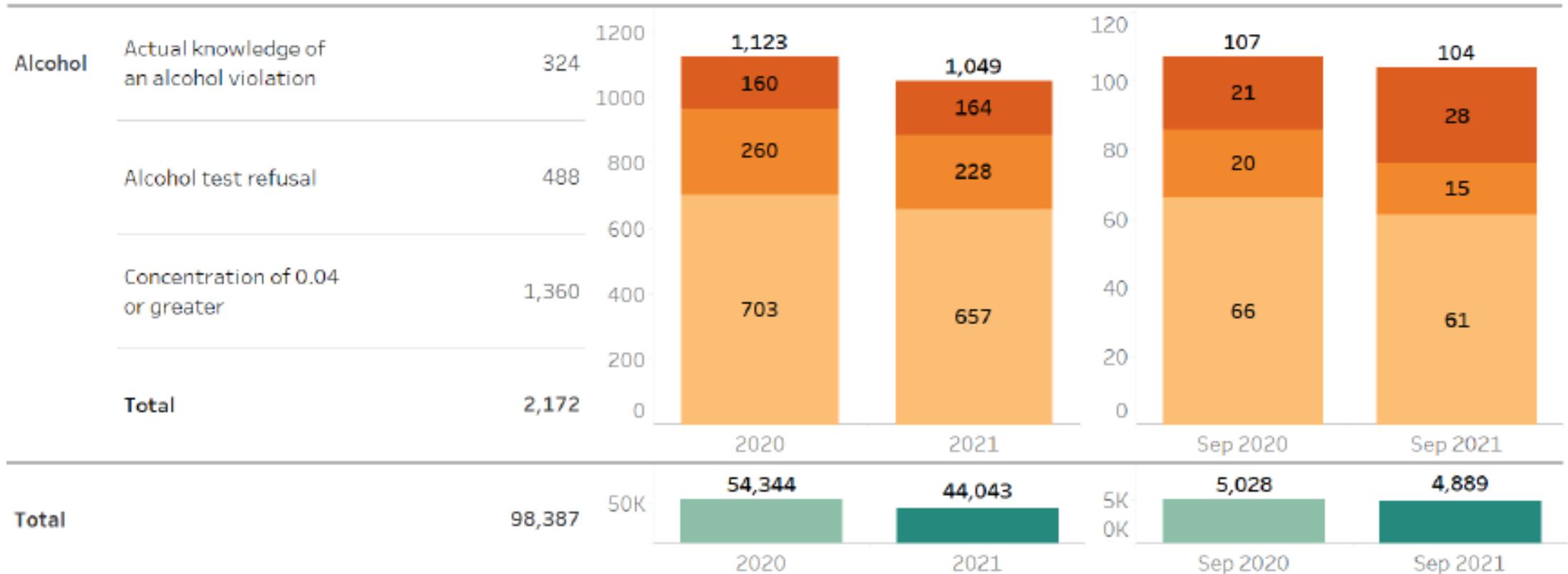
Violation Data (as of October 1, 2021)

Violations

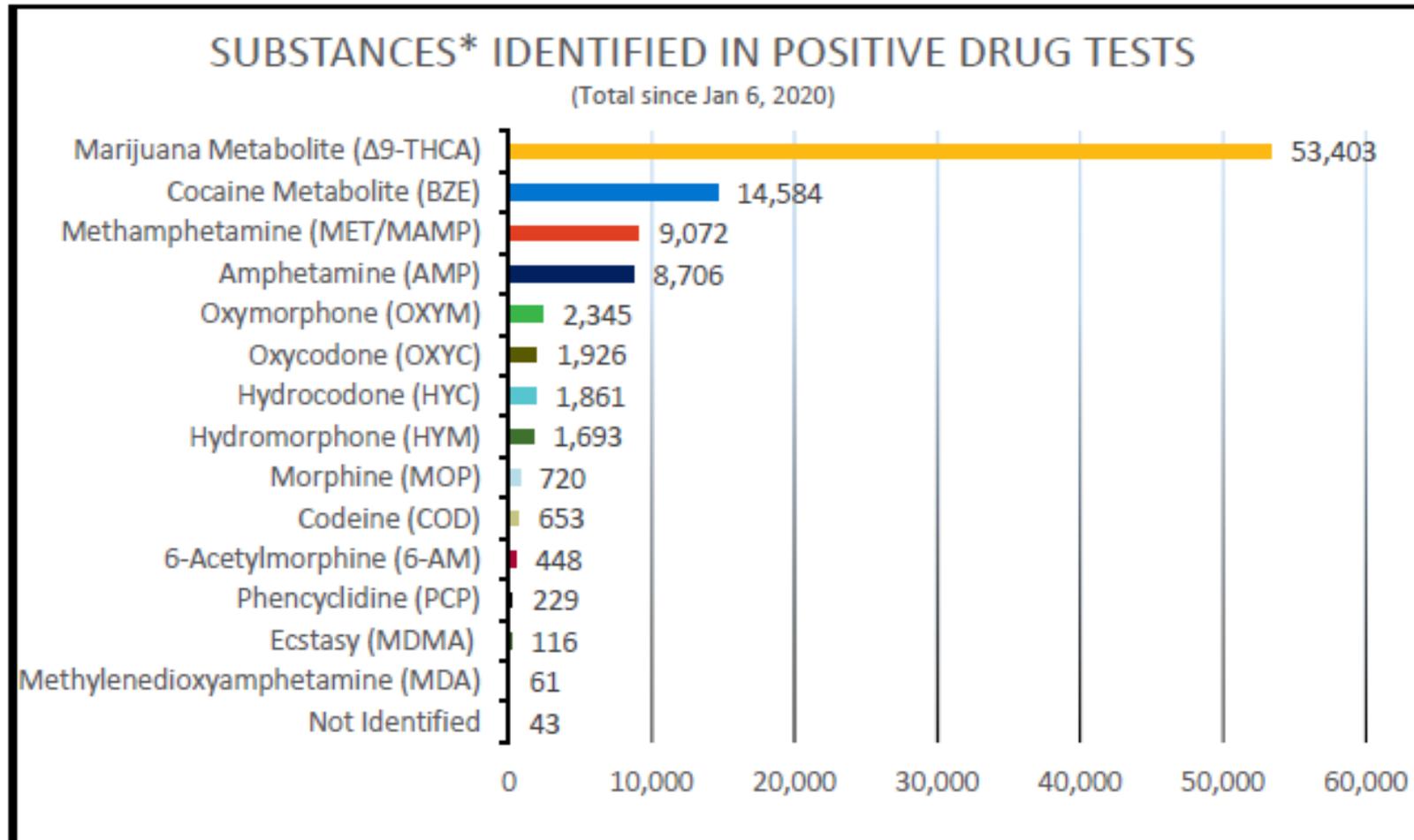
- Actual knowledge of a drug violation
- Drug test refusal
- Positive drug test
- Actual knowledge of an alcohol violation
- Alcohol test refusal
- Concentration of 0.04 or greater
- Total
- 2020
- 2021



Violation Data (as of October 1, 2021)



Violation Data (as of October 1, 2021)



Positive drug tests reported through September 2021, as of 10/1/2021

Questions?

- **For more information:**
 - Visit the Clearinghouse Learning Center at: <https://clearinghouse.fmcsa.dot.gov/Learn> for resources and answers to common questions
- **Contact us:**
 - Email clearinghouse@dot.gov
 - Call 844-955-0207

