

# DRUG & ALCOHOL CLEARINGHOUSE

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State Partner Training  
December 2022



## Presenters

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Minnesota Division
- Clearinghouse  
Technical Team

## Roll Call

- Use the chat pod to tell us your name, role, and State



# Agenda

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## **1 CLEARINGHOUSE OVERVIEW**

## **2 CLEARINGHOUSE ACCESS**

- Obtaining access, enforcement features

## **3 USING THE CLEARINGHOUSE**

- Checking driver status, verifying carrier registration and query/consent requirements

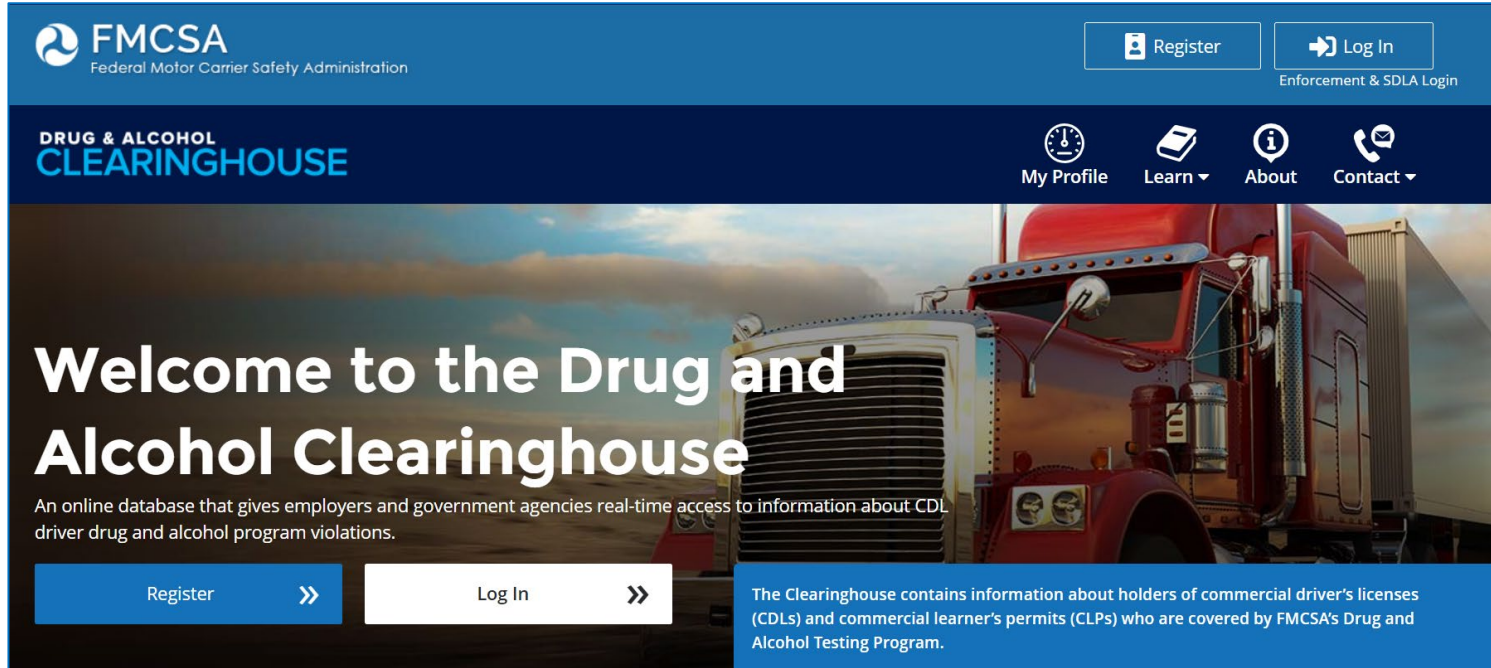
## **4 Q&A**

## **5 NEXT STEPS & RESOURCES**

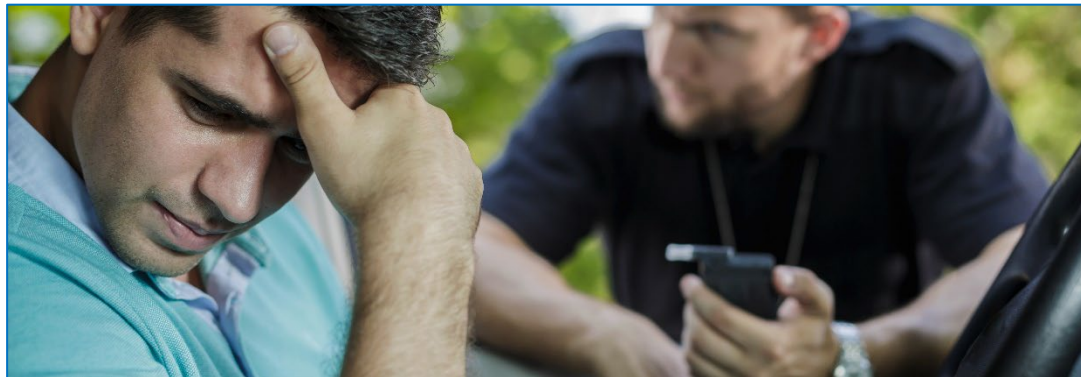
# Clearinghouse Overview

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# What is the CDL Drug and Alcohol Clearinghouse?



The screenshot shows the homepage of the FMCSA Drug & Alcohol Clearinghouse. At the top, the FMCSA logo and name are on the left, and 'Register' and 'Log In' buttons are on the right. Below this is a dark blue header with the 'DRUG & ALCOHOL CLEARINGHOUSE' text on the left and navigation links for 'My Profile', 'Learn', 'About', and 'Contact' on the right. The main content area features a large image of a red semi-truck with the text 'Welcome to the Drug and Alcohol Clearinghouse' overlaid. Below the welcome text is a description: 'An online database that gives employers and government agencies real-time access to information about CDL driver drug and alcohol program violations.' At the bottom of the main area are 'Register' and 'Log In' buttons with right-pointing arrows. A blue box on the right side of the bottom section contains the text: 'The Clearinghouse contains information about holders of commercial driver's licenses (CDLs) and commercial learner's permits (CLPs) who are covered by FMCSA's Drug and Alcohol Testing Program.'



# The Clearinghouse Rules

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## Initial Rule:

- Established requirements for the Clearinghouse
- Mandated by Congress in MAP-21
- Published: December 5, 2016
- Implemented: **January 6, 2020**

## Second Rule:

- State Driver Licensing Agency Non-Issuance/Downgrade of Commercial Driver's License
- Published: October 7, 2021
- Effective Date: November 8, 2021
- Implementation Date: **November 18, 2024**

## Third Rule:

- Based on experience in administering the Clearinghouse, FMCSA is proposing changes to streamline and improve error-correction procedures, queries, and consent requirements.
- Published: **TBD**

# How does the Clearinghouse work?



## 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

**Drivers** can access their own information

## Query

**FMCSA and State Partners** can access a driver's current status and Clearinghouse reports for enforcement purposes


**State Driver Licensing Agencies (SDLAs)** will receive driver eligibility status (i.e., Prohibited/Not Prohibited)

**Employers and C/TPAs** query the Clearinghouse for violation (requires driver consent) information

## The FMCSA Commercial Driver's License Drug and Alcohol Clearinghouse

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### Clearinghouse information is only available to authorized users

- Not available to general public.
- **State partners can now access the Clearinghouse for the purpose of conducting New Entrant Safety Audits and investigations.** 
- **Roadside inspectors** will continue to receive driver eligibility status (i.e., Prohibited/Not Prohibited) via CDLIS and Query Central.
- **State Driver Licensing Agencies (SDLAs)** can currently receive a driver's Clearinghouse status (i.e., Prohibited/Not Prohibited) and run SDLA-specific reports. When Rule II is fully implemented, SDLAs will also receive driver status change notifications.
- **Employers (carriers)** conduct queries and report certain drug and alcohol violations, negative return-to-duty (RTD) test results, and the successful completion of a driver's follow-up testing plan.
- **Drivers** can access their own information, but not information of other drivers.



## Violations Recorded in the Clearinghouse

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- The Clearinghouse contains only drug and alcohol program violation information for employees subject to the testing requirements under the FMCSRs in 49 CFR Part 382 (no other DOT modes).
- Violation information is retained in the Clearinghouse for 5 years, or until the return-to-duty (RTD) follow-up testing has been completed, whichever is later.
- The Clearinghouse only contains violations that occurred on January 6, 2020 or later.



☒ **Record**

☒ Consent

☒ Query

☒ Safety

## Clearinghouse Queries and Consent

- The Clearinghouse maintains a history of an employer's full and limited queries, including those conducted by a designated consortium/third-party administration (C/TPA).
  - This includes records of the driver's response to consent requests for full queries.
- Employer must conduct pre-employment queries on prospective employees and annual queries on current employees
  - Annual queries are tracked on a rolling 12-month (365-day) basis.
  - E.g., If an employer conducts a pre-employment query on December 1, 2022, the employer is not required to conduct another query on that driver until December 1, 2023.

☒ Record  
☒ **Consent**  
☒ **Query**  
☒ Safety



**Beginning January 6, 2023, a pre-employment Clearinghouse query will satisfy the requirement to investigate a prospective driver's previous drug and alcohol program violations, as set forth in 49 CFR 391.23(e)(4) and 382.413(b).**

# Clearinghouse Queries and Consent (Continued)

- Employers must purchase a query plan to enable their users or their designated C/TPAs to conduct queries.
  - Query plans may only be purchased from the Clearinghouse website.
  - C/TPAs cannot purchase query plans.

- ☒ Record
- ☒ Consent
- ☒ Query
- ☒ Safety

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## QUERY PLANS

### 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

#### Purchasing a Query Plan

All employers of CDL drivers must purchase a query plan in the Clearinghouse. This query plan enables employers, and their consortia/third-party administrators (C/TPAs), to conduct queries of driver Clearinghouse records.

Registered employers must log into their Clearinghouse accounts to purchase their query plan. Query plans may be purchased from the FMCSA Clearinghouse only.

[Download Printer-Friendly PDF](#)

#### Why do I need to purchase a query plan?

- Employers are charged a fee for conducting queries in the Clearinghouse.
- Employers must purchase a query plan to ensure they and their designated C/TPAs can conduct queries. C/TPAs cannot purchase queries on behalf of employers.

*Note: Working with a C/TPA to manage a drug and alcohol testing program is a requirement of all owner-operators (employers who employ themselves as CDL drivers, typically a single-driver operation).*

#### The Clearinghouse final rule requires that employers conduct queries:

- As part of any pre-employment driver investigation.
- At least annually for every CDL driver currently employed.

#### Which query plan is right for me?

The query bundle you purchase will depend on the number of queries you will need to conduct.

# Clearinghouse Access

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## Who is required to use the Clearinghouse?

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- ☒ 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)

\*who need to respond to employer consent requests

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

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

# Access to Clearinghouse Data

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## Safety Auditors and Safety Investigators

- Access the Clearinghouse using FMCSA Portal credentials
  - Requires the “DACH – Enforcement” Portal user role
  - Instructions: <https://clearinghouse.fmcsa.dot.gov/Resource/Index/Portal-Factsheet-FMCSA>



## Roadside Inspectors

- Continue to use Query Central or CDLIS Gateway at roadside to determine if a driver is currently prohibited from performing safety-sensitive functions

# Safety Audits and Investigations: Pre-Investigation

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## OLD PROCESS

- Run **CDLIS Gateway** or **Query Central** checks to verify a driver's current status (including Clearinghouse status)
- **Request Clearinghouse report** from motor carrier or have the carrier access the report in the Clearinghouse
  - Ensure carrier has not altered the report information
- **Review Clearinghouse report** to verify carrier compliance

# Safety Audits and Investigations: Pre-Investigation

OLD PROCESS	NEW PROCESS
<ul style="list-style-type: none"> <li>Run <b>CDLIS Gateway</b> or <b>Query Central</b> checks to verify a driver's current status (including Clearinghouse status)</li> </ul>	<ul style="list-style-type: none"> <li>Run <b>CDLIS Gateway</b> or <b>Query Central</b> checks to verify a driver's current status</li> <li><b>Log in to the Clearinghouse</b> to verify a driver's current Clearinghouse status (optional)</li> </ul>
<ul style="list-style-type: none"> <li><b>Request Clearinghouse report</b> from motor carrier or have the carrier access the report in the Clearinghouse               <ul style="list-style-type: none"> <li>— Ensure carrier has not altered the report information</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Log in to the Clearinghouse to <b>generate a compliance report</b> containing a summary of the motor carrier's Clearinghouse activity</li> </ul>
<ul style="list-style-type: none"> <li><b>Review Clearinghouse report</b> to verify carrier compliance</li> </ul>	<ul style="list-style-type: none"> <li><b>Review Clearinghouse report</b> to verify carrier compliance</li> </ul>



## Safety Audits and Investigations: Pre-Investigation

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- ☒ Verify users have **registered** with the Clearinghouse
- ☒ Verify carrier has **performed required queries**
- ☒ Verify carrier **received consent**
- ☒ Verify required **reporting**
- ☒ Verify **refusal and actual knowledge documentation**
- ☒ Verify that the carrier did not use any drivers **prohibited from safety sensitive functions**

## Clearinghouse Enforcement Users – What features are available?

### ■ CDL/CLP drivers' drug and alcohol violation information

#### ■ SAPs

- ✓ Whether or not a SAP has been designated
- ✓ Where a driver is in the RTD process
- ✗ Does not reveal identity of SAP
- ✗ Does not provide searchable list of SAPs

#### ■ C/TPAs

- ✓ Whether or not an employer designated a C/TPA or C/TPAs (employers may designate more than one)
- ✓ The identity of the C/TPA(s)
- ✓ Permission(s) granted to each C/TPA

#### ■ MROs

- ✓ The identity of the individual who reported the violation to the Clearinghouse
- ✗ Does not reveal MRO contact information
- ✗ Does not provide a searchable list of MROs

# Requesting Clearinghouse Access

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

**1** FMCSA Portal

Welcome [Log Out](#) | [Change Password](#) | [Help](#)

HOME | **2** ACCOUNT MANAGEMENT | RESOLUTION MANAGEMENT | MANAGE ADMIN FUNCTIONS | TECHNICAL SUPPORT | COMPANY VIEW

REPORTS/QUERIES | OAM | FEEDBACK | UNIFIED REGISTRATION SYSTEM

View/Edit My Profile [?](#)

General Info | **3** Available Systems | [Update Profile](#) [Cancel](#)

**4** Available Roles for: [?](#)

DACH

**5** Add Role >

< Remove Role

Requested Roles [?](#)

- A&I - Enforcement Users - Approved
- A&I - New Applicant Screening (NAS) Tool Access - Approved
- DataQs - Access - Approved
- EDMS - EDMS Access - Approved
- EMIS - CaseRite - Approved
- EMIS - Generic View - Approved
- EMIS - Security - Approved
- EMIS - Table Maintenance - Approved

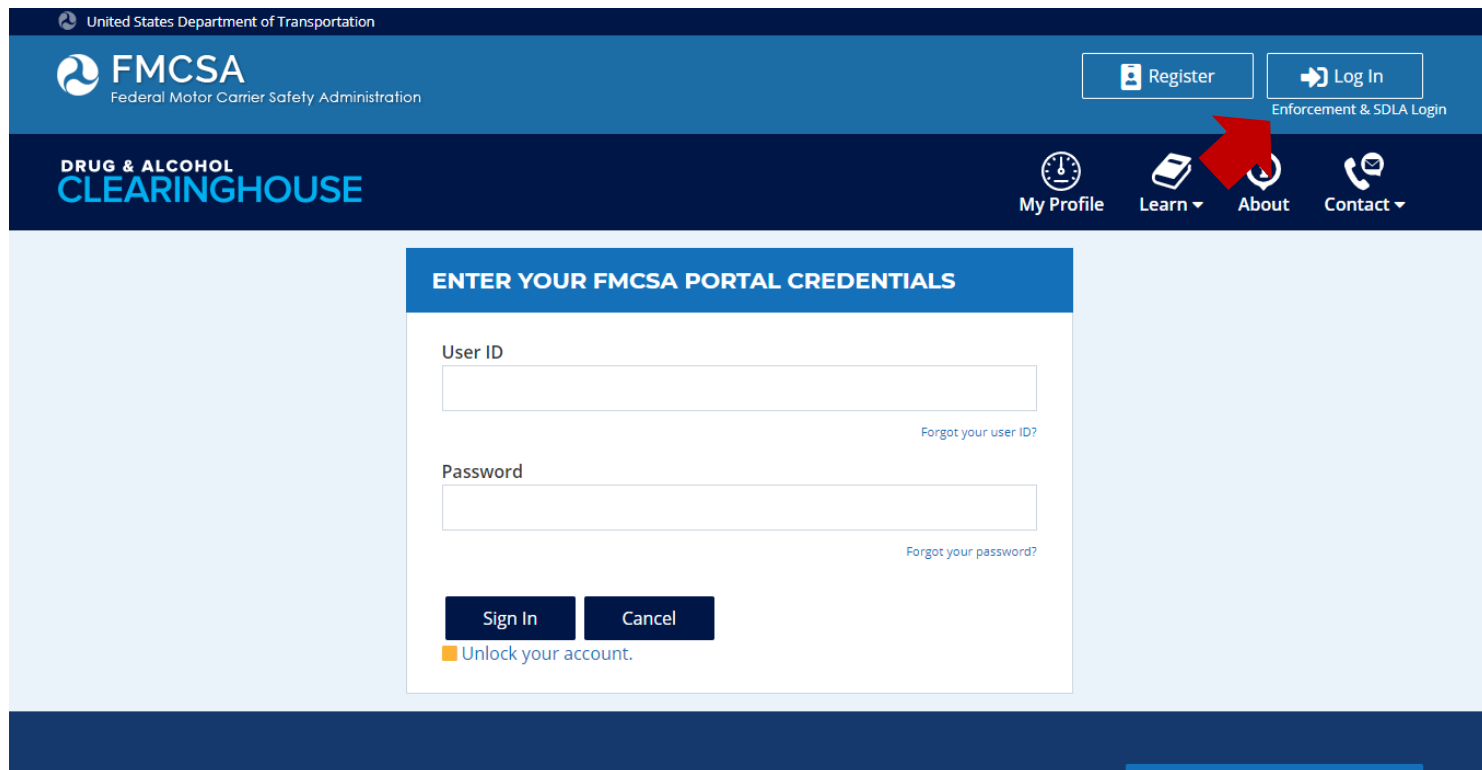
Role Selection Description

# Using the Clearinghouse

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# Logging in to the Clearinghouse

- Visit <https://clearinghouse.fmcsa.dot.gov/>
- Click **Enforcement & SDLA Login** and enter your Portal user ID and password



United States Department of Transportation

FMCSA  
Federal Motor Carrier Safety Administration

Register Log In  
Enforcement & SDLA Login

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**ENTER YOUR FMCSA PORTAL CREDENTIALS**

User ID  
  
[Forgot your user ID?](#)

Password  
  
[Forgot your password?](#)

Sign In Cancel

Unlock your account.

# Clearinghouse Enforcement Dashboard

An official website of the United States government [Here's how you know](#)

United States Department of Transportation

**FMCSA**  
Federal Motor Carrier Safety Administration


[Log Out](#)

**DRUG & ALCOHOL  
CLEARINGHOUSE**

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**WELCOME**

This is your Enforcement Dashboard. Use the fields below to run a report on a driver's violation history or an employer's Clearinghouse activity.




**Search for a Driver**

Country of Issuance (optional)  
country

State of Issuance (optional)  
state

Driver Name or CDL

Search



**Search for an Employer**

USDOT#

or

Company Name

Country (optional)  
country

State (optional)  
state

Search

# Clearinghouse Carrier Report for Enforcement

 BACK TO DASHBOARD

## EMPLOYER SEARCH RESULTS

Employer	Country	State	Registration Date	Owner Operator	C/TPAs Designated?	
ABC Trucking	United States	Massachusetts	3/1/2021	No	No	<a href="#">View</a>
123 Trucking	United States	Pennsylvania	2/10/2022	No	No	<a href="#">View</a>
XYZ Trucking	United States	Virginia	5/26/2022	Yes	No	<a href="#">View</a>
987 Trucking	United States	Michigan	7/13/2021	Yes	Yes	<a href="#">View</a>

# Clearinghouse Carrier Report for Enforcement (Continued)

BACK TO DASHBOARD

## 987 TRUCKING (USDOT# 123456)

Address: 321 MAPLE ST; DETROIT, MI 48201; US

Email: 987Trucking@example.com

Owner Operator: Yes

As of: 11/16/2022 9:37

Download

Download Queries

Query  
History  
Report

Employer  
Compliance Report

es Pre-Employment Queries Violations

### REGISTERED USERS

Email	Name	Role	Created	Last Login
janesmith987@example.com	Jane Smith	Admin	7/18/2021	11/16/2022

### C/TPAS DESIGNATED

C/TPA	Status	Report Violations	Report RTD Information	Conduct Queries
C/TPA of Detroit	Active	Yes	Yes	Yes



# Clearinghouse Driver Report for Enforcement

An official website of the United States government [Here's how you know](#)

United States Department of Transportation

FMCSA  
Federal Motor Carrier Safety Administration


Log Out

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**WELCOME**

This is your Enforcement Dashboard. Use the fields below to run a report on a driver's violation history or an employer's Clearinghouse activity.




**Search for a Driver**

Country of Issuance (optional)  
country

State of Issuance (optional)  
state

Driver Name or CDL  
\_\_\_\_\_

Search



**Search for an Employer**

USDOT#  
\_\_\_\_\_

or

Company Name  
\_\_\_\_\_

Country (optional)  
country

State (optional)  
state

Search

## Q&A

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- Enter your questions in the chat pod or unmute
- If we don't get to all the questions today, we will follow up with you directly



# **Additional Information**

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## Next Steps & Resources

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### ■ Request

- Clearinghouse Portal user role for enforcement (DACH – Enforcement)
- Approval from Organization Coordinator (OC)



### ■ Visit

- Drug and Alcohol Clearinghouse:  
<https://clearinghouse.fmcsa.dot.gov/>
- Enforcement Resources:  
<https://clearinghouse.fmcsa.dot.gov/Resource/Page/Enforcement-Resources>



### ■ Contact

- [dachenforcement@dot.gov](mailto:dachenforcement@dot.gov)