

DRUG & ALCOHOL CLEARINGHOUSE

Federal Field Staff Training

December 2019/January 2020



Agenda

1

WHAT IS THE CLEARINGHOUSE

About the Congressional mandate and what it means

2

USING THE CLEARINGHOUSE

Required actions users must take once the Clearinghouse is operational

3

THE CLEARINGHOUSE POLICY

How enforcement personnel use the Clearinghouse to verify compliance

4

NEW VIOLATIONS

Violations related to required use of the Clearinghouse

5

NEXT STEPS & MORE INFORMATION

How you can prepare for implementation, learn more, and get technical support

The Clearinghouse Final Rule

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



Read about the Clearinghouse final rule at:
<https://clearinghouse.fmcsa.dot.gov/About>

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.)
- 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
- Other enforcement agencies, such as State Driver's Licensing Agencies and State law enforcement agencies, will receive only driver eligibility status (i.e, Prohibited/Not Prohibited)

Who will use the 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)



*who need to respond to employer consent requests

What actions will users take in the Clearinghouse?

- **Record** – Drivers' drug and alcohol program information in the Clearinghouse
- **Consent** – Authorization to conduct a query
 - Requested by employers or designated C/TPAs
 - Provided or refused by drivers
- **Query** – Determine if the Clearinghouse contains any records for the queried driver



Authorized users must register in the Clearinghouse to complete the actions listed above.



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

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

Key Points

- The Clearinghouse will contain 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).
- The Clearinghouse will only contain violations that occur on **January 6, 2020 or later**.
- Violation information will be retained in the Clearinghouse for **5 years**, or until the RTD follow-up testing has been completed, whichever is later.





Key Points

- A drug and alcohol program violation can be recorded even if the driver is not registered in the Clearinghouse.
 - The Clearinghouse will associate the violation with the driver's CDL information.
- MROs and SAPs have reporting functions only.
 - Cannot access driver violation records, due to privacy requirements.
 - Can review violation information they or their Assistants have entered in the Clearinghouse.



Key Points

	What information does this query provide?	When is this query required?	How is consent provided?
LIMITED QUERY 	<p>Verify presence of driver information in the Clearinghouse</p> <p>If information is discovered, a full query is required</p>	<p>Annual check on currently-employed driver</p> <p>Ad hoc/periodic check on driver</p>	<p>General consent, done outside the Clearinghouse</p> <p>May be electronic or wet signature, one time or unlimited</p>
FULL QUERY 	<p>Access full violation details</p>	<p>Pre-employment check on prospective driver</p> <p>Limited query returned records for queried driver</p> <p>Ad hoc/ periodic check on driver</p>	<p>Specific consent, provided electronically within the Clearinghouse</p>

☒ Record

☒ **Consent**

☒ **Query**

☒ Safety

Key Points

- The Clearinghouse will maintain a history of an employer's full and limited queries, including those conducted by a designated C/TPA.
 - This will include records of the driver's response to consent requests for full queries.
- Employers will need to retain records of drivers' **limited consent** for **3 years**.
- 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.



Key Points

- The Clearinghouse will improve safety on our Nation's roadways.

Real-time access to
"Driver Prohibited" status

Better insight into employer
compliance with drug and
alcohol testing rules

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

Provides tool for employers
to meet pre-employment
investigation and reporting
obligations

 Record
 Consent
 Query
 **Safety**

Using the Clearinghouse FMCSA Personnel

Access to Clearinghouse Data

- FMCSA personnel will access Clearinghouse using Portal credentials
- State personnel will:
 - 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)

Registering for the Clearinghouse

The screenshot displays the FMCSA Portal interface. At the top, the header includes the U.S. Department of Transportation logo and the text "U.S. Department of Transportation Federal Motor Carrier Safety Administration". Below this, a navigation bar contains links: HOME, ASSIGNMENT, ACCOUNT MANAGEMENT, RESOLUTION MANAGEMENT, MANAGE ADMIN FUNCTIONS, TECHNICAL SUPPORT, and COMPANY VIEW. A secondary navigation bar includes REPORTS/QUERIES, OAM, FEEDBACK, and UNIFIED REGISTRATION SYSTEM. The main content area is titled "View/Edit My Profile" and features three tabs: General Info, Portal, and Available Systems. The "Available Systems" tab is selected. Below the tabs, there is a section for "Available Roles for:" with a dropdown menu showing "DACH" and "Enforcement". To the right of this section is a list of "Requested Roles" including "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", and "EMIS - Table Maintenance - Approved". Buttons for "Add Role >" and "< Remove Role" are located between the role selection and the requested roles list. The "Update Profile" and "Cancel" buttons are in the top right corner.

1 **FMCSA Portal**

2 **ACCOUNT MANAGEMENT**

3 **Available Systems**

4 **Enforcement**

5 **Add Role >**

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

Welcome Walt Zak

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

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

REPORTS/QUERIES | OAM | FEEDBACK | UNIFIED REGISTRATION SYSTEM

View/Edit My Profile

General Info | Portal | Available Systems

Available Roles for:

DACH

Enforcement

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

Add Role >

< Remove Role

Update Profile

Cancel

Role Selection Description

Roadside Inspections



- Process remains the same
- Check **Query Central** or **CDLIS Gateway**
 - Will provide additional information on driver's Clearinghouse status
- If driver is prohibited, cite 390.3(e)
- Updated CVSA OOS criteria goes into effect April 1, 2020



CDLIS

CDLIS.DOT.GOV Hello, [stallon@dotek.com](#) your password will expire in 21 days! [Set Query Default](#) [Log off](#)
[Home](#) [User Manager](#) [Batch Queue](#) [Upload Batch](#) [Contact](#)

History Search Results

Driver is prohibited from operating under 382.501(a) – Drug and Alcohol Clearinghouse

/MX/DF113916 20191101172230185AE8AC7WS

Driver General Information					
First Name			Last Name		
SALVADOR			FLORES-GODINEZ		
RFC	Birth Date	Height	Weight	Eye Color	Sex
FOG5721010	1972-10-10	505	179	N/A	M

Mailing Address					
Street	City	County	State	Zip	Country
N/A PASO DEL REY 58	D F	LA MEXICANA	DF	1260	MX

Driver License Details							
Jurisdiction	Driver License	Issue Date	Exp. Date	Commercial Class	Non Commercial Class	Commercial Status	Non Commercial Status
MX	DF113916	2011-12-17	2014-12-17	A	N/A	Not Eligible	N/A
				Withdrawal Action Pending			
				No			

Endorsements	
Value	
Doubles/Triples	
Tank	
Combination of tank vehicle and hazardous materials	

Medical Certification			
Issue Date	Expiration Date	Status Code	Self Certification
2013-01-19	2015-01-19	Certified	Non-excepted Interstate
Convictions #	Accidents #	Withdrawals #	Permits #
43	0	12	0
License Restrictions #			
0			



Convictions

- The Clearinghouse query results will display directly under the history search results.
 - Driver prohibited
 - Driver not prohibited
 - Driver not found
- Not all messages will be in red.

History Search Results

Driver is prohibited from operating under 382.501(a) – Drug and Alcohol Clearinghouse

QueryCentral

DRIVER SUMMARY

[Driver](#)
[Vehicle](#)
[Carrier](#)

[Help](#)
[Home](#)

1 Past Inspection(s)

Driver Identification	
Driver Name:	JONATHAN THOMAS WYNN
Address:	180 DIXIE DR NE CLEVELAND, TN
CDL#:	140880302
SSN:	258-73-0314
St/Prov:	TN
DOB:	12/29/1987

License Summary	
Commercial Status:	Licensed
Class:	A
Non-Commercial Status:	Licensed
Class:	D
Expires:	
6/18/2026	
Restrictions:	
Corrective Lenses must be worn	
Endorsements:	
No Endorsements Listed	
Drug and Alcohol Clearinghouse Status	
Driver is prohibited from operating under 49 CFR § 382.501(a)	

Alias						
First Name	Middle Name	Last Name	SUFFIX	Birth Date	License	State
					050916306	GA
					8030013382	IN

Medical Certification							
Issue Date	Expiration Date	SPE Issue	SPE Expiration	Med WE Issue	Med WE Expiration	Status Code	Self Certification
10/28/2018	10/29/2019					Certified	Non-excepted Interstate

Medical Certificate Restrictions	
Restriction	
Corrective Lenses	

Driver is prohibited from operating under 49 CFR § 382.501(a)

- The Clearinghouse query results will display in the upper right table.
 - Driver prohibited
 - Driver not prohibited
 - Driver not found



Safety Audits and Investigations: Pre-Investigation





- Run **CDLIS Gateway** or **Query Central** checks to verify current status of drivers
- Review Clearinghouse report to verify carrier has:
 - Registered
 - Designated a C/TPA, if applicable
 - Reported required drug and alcohol program violation information
 - Performed required queries




Clearinghouse Enforcement Dashboard – Homepage


 United States Department of Transportation 


 **FMCSA**
Federal Motor Carrier Safety Administration


 Log Out

**DRUG & ALCOHOL
CLEARINGHOUSE**

 My Dashboard


 Learn

 About

 Contact

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.



Clearinghouse Carrier Report for Enforcement

[My Dashboard](#) | [Violations](#) | [Queries](#) | [Return-to-Duty](#) | [Manage](#)

[← BACK TO DASHBOARD](#)

EMPLOYER SEARCH RESULTS

Employer	Country	State	Registration Date	Owner Operator	C/TPAs Designated?	
United Trucking Companies of America Inc.	United States	Massachusetts	11/1/2019	No	No	View
Moving and Feight LTD	United States	Hawaii	12/14/2019	No	No	View
Zipee Bus Lines	United States	Georgia	1/6/2020	No	Yes	View
Rock On Party Suppliers	United States	Maine	10/31/2019	No	Yes	View
Sand and Gravel Haulers of the Midwest	United States	Massachusetts	11/30/2019	No	Yes	View

Clearinghouse Carrier Report for Enforcement


[My Dashboard](#) | [Violations](#) | [Queries](#) | [Return-to-Duty](#) | [Manage](#)

United American Trucking Companies of America Inc.

Address: 101 Broadway; Anytown, MA 02472; US

Owner Operator:

As of: 12/2/2019 12:01

 Download

REGISTERED USERS

Email	Name	Created	Last Login
johnsmith@uatc.com	Johen Smith	10/22/2019	11/27/2019

C/TPAS DESIGNATED

C/TPA	Status 	Report Violations	Report RTD Information 	Conduct Queries
Drug Consortium LTD	Pending	Yes	Yes	Yes

Clearinghouse Driver Report for Enforcement

[My Dashboard](#) | [Violations](#) | [Queries](#) | [Return-to-Duty](#) | [Manage](#)

Driver Record

Below is the violation information currently in the Clearinghouse for the driver you entered. This is also the information employers will have access to when they conduct a full query of the Clearinghouse for this driver (with driver consent).



Driver

Todd Smith

Date of Birth: 10/15/1980

Country: United States State: Iowa CDL Number: F15879642

MORE INFORMATION

-  [The Return-To-Duty Process](#)
-  [NCCDB / DataQs Quick Reference](#)

Open Violations

Return to Duty (RTD) Status

Status: Open - SAP Request Sent

SAP Request Sent: 12/2/2019

SAP Designated: Not Completed

Initial SAP Assessment Completed: Not Completed

Safety Audits and Investigations

- ☒ 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**

Field Reporting Systems: Upcoming Enhancements

- ACE Investigation Management (AIM)
- New Entrant Web System (NEWS)
- Senti



Safety Audits and Investigations: Close-out



- Clearinghouse resources
- Provide NCCDB guidance for complaints against service agents or other carriers
- Provide DataQs guidance for driver petitions



Clearinghouse Resources

Browse Popular Topics

Select a topic below or filter by user type to find answers to your questions. If you have additional questions, you can [contact FMCSA](#).

User Type
 [Show All FAQs](#)

<p>General (20 Questions)</p> <p>LEARN MORE →</p>	<p>Registration (17 Questions)</p> <p>LEARN MORE →</p>	<p>Security (3 Questions)</p> <p>LEARN MORE →</p>
<p>Queries and Consent Requests (31 Questions)</p> <p>LEARN MORE →</p>	<p>Reporting Violations (35 Questions)</p> <p>LEARN MORE →</p>	<p>Service Agents (8 Questions)</p> <p>LEARN MORE →</p>
<p>Driver Data (28 Questions)</p> <p>LEARN MORE →</p>	<p>Return-to-Duty (14 Questions)</p> <p>LEARN MORE →</p>	<p>Cross-Border (4 Questions)</p> <p>LEARN MORE →</p>

- Clearinghouse web address
<https://clearinghouse.fmcsa.dot.gov/>
 - Clearinghouse FAQs
 - Clearinghouse learning center materials
 - User brochures
 - Registration Job Aids

DRUG & ALCOHOL
CLEARINGHOUSE

Learn About Contact

QUICK LINKS

- ➔ Clearinghouse Final Rule
- ➔ USDOT Resources for Drivers
- ➔ USDOT Resources for Employers
- ➔ Office of Drug and Alcohol Policy and Compliance (ODAPC) website

LEARNING CENTER

NCCDB Modifications for the Clearinghouse

**Filed by drivers/employers
against SAPs/MROs**

SUCH AS:

- MRO did not report drug and alcohol program violation within 2 business days of making the determination or verification
- SAP did not accept driver request, unable to report required information in the Clearinghouse

INVESTIGATED BY:

FMCSA HQ Team

**Filed by drivers against
employers**

SUCH AS:

- Failing to obtain consent
- Employer did not report negative RTD test result to Clearinghouse
- Employer did not report completion of follow-up testing plan to Clearinghouse

INVESTIGATED BY:

Field Safety Investigators

DataQs Requests for Data Review for the Clearinghouse

- The driver may submit a petition via FMCSA's DataQs system to challenge the **accuracy** of the **information** reported
- **Drivers cannot challenge the accuracy of test results and refusals** with the following exceptions:
 - Request removal of employers report of a violation **if it does not comply with § 382.705(b)(3)**
 - Request removal of employer's report of actual knowledge **if it does not comply with § 382.705(b)(5)**
 - Request removal of employer's report of actual knowledge that 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**
- 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 explanation and information and/or documentation
 - Driver informed of decision, which will be considered final Agency action

Enforcement



- When conducting enforcement against motor carriers, follow current enforcement guidelines
- Information found during the investigation that warrants enforcement against a C/TPA must be directed to the Compliance Division MC-ESC at clearinghouse@dot.gov
- For violations of C/TPAs outside the scope of [Part 382, Subpart G](#) or Part 40 violations, refer to the current public interest exclusion (PIE) policy



Clearinghouse Violations

Verifying Registration

- **Review and verify registration in accordance with § [382.711](#)**
 - Federal personnel – check the Clearinghouse
 - State personnel – request that the Division office check the Clearinghouse or ask the carrier to show its registration

ALL EMPLOYERS (including Owner-Operators)

- **May designate a C/TPA to conduct queries, and/or report violations, and/or report RTD information**

OWNER-OPERATORS (only)

- **Must designate a C/TPA to report violations incurred by owner-operator**

Employer Registration Violations

§ 382.711(b)

Failing to register in the Clearinghouse

Note: Also includes failing to update information.

§ 382.705(b)(6)

Failing to designate a C/TPA

Note: To be use against an owner-operator that fails to designate a C/TPA.

Verifying Required Queries

Confirm the carrier has performed the required pre-employment and annual queries as required by § [382.701](#)

- **Review [pre-employment queries](#) based on “Part 382 Drug & Alcohol Pre-employment” sampling table**
 - Drivers must not operate until carrier receives a non-violation query result
- **Review [annual queries](#) based on “Part 391 DQ Files” sampling table**
 - Were they performed within required timeframes?
 - Annual query (limited or full) is required once every 365 days, at minimum
 - If limited query returns info, ensure it was followed by a full query
 - Employer is required to remove driver from safety-sensitive functions until employer receives confirmation that the return-to-duty process is complete (Clearinghouse will display: “Violation is resolved”)

Employer Query Violations

§ 382.701(a)	Failing to conduct a pre-employment query
§ 382.701(b)(1)	Failing to conduct an annual query
§ 382.701(b)(3)	Failing to conduct a full annual query within the 24 hours after receiving information from a limited query
§ 382.701(e)	Failing to retain a record of each query and all information received in response to each query made prior to 01/06/2023

Employer Consent Violations

§ 382.703(a) **Failing to query the Clearinghouse without first obtaining the driver's written or electronic consent**

Failing to keep records of the electronic consent for 3 years from the date of the last query

Note: This cite includes two scenarios: (1) consent was not obtained by the motor carrier, or (2) the motor carrier did not keep record of the consent on file.

§ 382.703(c) **Allowing a driver, who refused to provide consent to query the Clearinghouse, to operate a CMV**

Verifying Reporting

- **Employers, MROs, C/TPAs, and SAPs are required to report to the Clearinghouse (§ [382.705](#))**
 - C/TPAs can report on behalf of the employer when designated by the registered employer in the Clearinghouse

Employer Reporting Violations

§ 382.705(b)(1)(i)	Failing to report an alcohol confirmation test result with an alcohol concentration of 0.04 or greater
§ 382.705(b)(1)(ii)	Failing to report a negative return-to-duty test result
§ 382.705(b)(1)(iii)	Failing to report a refusal to take an alcohol test
§ 382.705(b)(1)(iv)	Failing to report a drug test refusal to test determination
§ 382.705(b)(1)(v)	Failing to report that the driver has successfully completed all follow-up tests as prescribed in the SAP report
§ 382.705(c)	Failing to report violation to the Clearinghouse by the third business day Note: This includes a refusal, an alcohol violation, and actual knowledge under this section.
§ 382.705(e)	Providing false or inaccurate information

Verify Refusal and Actual Knowledge Documentation

- **Confirm refusal documentation and actual knowledge are consistent with the information submitted in the Clearinghouse**
- Failing to report or providing misleading information could result in administrative sanctions and civil and criminal proceedings (§ [382.727](#))

§ 382.705(e) **Providing false or inaccurate information**

Note: This can apply to any entity.

Next Steps & More Information

Next Steps

- Ensure Division office personnel are ready!
- On January 6, 2020
 - Ensure you have Clearinghouse role in the Portal, log in via Clearinghouse website using Portal credentials
 - Apply new policy
- Clearinghouse Technical Questions: clearinghouse@dot.gov

More Information

Visit <https://clearinghouse.fmcsa.dot.gov>

- Visit the Clearinghouse Learning Center
- Read frequently asked questions
- Download and share user brochures
- Stay up to date with news and events

Questions about Clearinghouse?

- Gian Marshall
Gian.Marshall@dot.gov
- Barbara Baker
barbara.baker@dot.gov

Questions about Drug and Alcohol policy?

- Juan Moya
juan.moya@dot.gov

Additional Informational Slides

Using the Clearinghouse Reporting Violations

What information are employers or C/TPAs required to report?

INFORMATION TO BE REPORTED TO CLEARINGHOUSE



**Prospective/Current
Employer of CDL
Driver**

Or

**C/TPA 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.

What information are MROs and SAPs 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

Recording Violation Data - Employer

■ Select type of violation

Violation Information

Enter each violation separately. If you have multiple violations to enter for a single driver, you will be able to add another related violation at the end of this entry.

ALCOHOL VIOLATION

- ☒ Alcohol concentration of **0.04 or greater** ⓘ
- ☐ Refusal to take an alcohol test
- ☐ Actual knowledge ⓘ of an alcohol violation

DRUG VIOLATION

- ☐ Refusal to take a drug test
- ☐ Actual knowledge ⓘ of a drug violation

What was the reason for the test?

Date of Test

Previous

Next

Cancel

Recording Violation Data - MRO

■ Violation Information

- Reason for the test, CCF Specimen ID number, date of the test, date of the verified result and test result

DRUG & ALCOHOL
CLEARINGHOUSE

Employer Info
Driver Info
Violation Info
Review & Submit

Violation Information

Violation Type

☒ Positive drug test
☐ Refusal to take a drug test

What was the reason for the test?

☐

Date of Test
Date of Verified Result

Specimen ID Number ?

TESTED POSITIVE FOR (SELECT ALL THAT APPLY):

☐ Marijuana Metabolite (Δ9-THCA)
☐ Cocaine Metabolite (BZE)
☐ PCP
☐ Methamphetamine
☐ Amphetamine
☐ MDMA
☐ MDA
☐ 6-Acetylmorphine
☐ Morphine
☐ Codeine
☐ OXYC
☐ OXYM
☐ HYC
☐ HYM
☐ DILUTE

Previous

Next

Cancel

Using the Clearinghouse Queries & Consent Requests

Query Requirements



Employers will be required to query the Clearinghouse for:

1. **PRE-EMPLOYMENT SCREENING** to ensure the prospective employee is not prohibited from performing safety-sensitive functions
2. **ANNUAL VERIFICATION** to ensure that a driver is still not prohibited from performing safety-sensitive functions

The purpose will determine the type of query:

Purpose	Query Type
Pre-employment screening	Full query – access full violation details
Annual verification	Limited query – verify presence of driver information in the Clearinghouse. If information is discovered, a full query is required

Consent Requirements Based on Type of Query

	When is this query required?	How is consent provided?	For how long is consent effective?	What action is required?
LIMITED QUERY 	<p>Annual check on currently-employed driver</p> <p>Ad hoc/periodic check on driver</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>Consent refused</p> <ul style="list-style-type: none"> Query cannot be conducted Driver removed from safety-sensitive functions <p>Consent provided</p> <ul style="list-style-type: none"> Retain via paper or electronically in driver's qualification file Request limited query in the Clearinghouse
FULL QUERY 	<p>Pre-employment check on prospective driver</p> <p>Limited query returned records for queried driver</p> <p>Ad hoc/ periodic check on driver</p>	<p>Specific consent, provided electronically within the Clearinghouse</p>	<p>For each full query of an individual driver</p>	<p>Consent refused</p> <ul style="list-style-type: none"> Employer notified of refused consent Query cannot be conducted Driver cannot perform/removed from safety-sensitive functions <p>Consent provided</p> <ul style="list-style-type: none"> Query conducted Violation details released, including RTD status If queried driver has violation and no negative RTD test result, driver removed from safety-sensitive functions

Conduct Query

Query Type
Driver Information
Conduct Query

Query Type

WHICH TYPE OF QUERY DO YOU NEED TO CONDUCT?

<input type="radio"/> 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). <input checked="" type="checkbox"/> 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.
<input type="radio"/> FULL QUERY	Results will include details see 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

Query Type
Driver Information
Conduct Query

Query Type

WHICH TYPE OF QUERY DO YOU NEED TO CONDUCT?

<input type="radio"/> 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).
<input checked="" type="radio"/> FULL QUERY	Results will include details see 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? <input type="radio"/> Yes <input type="radio"/> No


Previous
Next
Cancel

Conduct Query/Send Consent Request

Limited Query Results

Query Type
Driver Information
Conduct Query

Query Complete



Result: Driver Eligible

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 Type
Driver Information
Conduct Query

Query Complete



Result: Record(s) Found; Full Query Needed

Information related to resolved or unresolved drug and alcohol program violations has been found in the Clearinghouse record of the driver you queried.

To receive detailed information contained in the queried driver's Clearinghouse record, you must conduct a full query. You must request and receive the driver's electronic consent before the full query may be completed.

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](#)

Conduct Query/Send Consent Request

■ Driver Information

- Driver's name, date of birth, and CDL number and State of issuance
- Information will be verified against FMCSA internal database and/or the Commercial Driver's License Information System (CDLIS)
 - 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; the driver should be instructed to log into their Clearinghouse account for further instructions

Query Type

Driver Information

Request Consent

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

State of Issuance

number

country

state

Previous

Verify Driver Information

Cancel

Conduct Query/Send Consent Request

Full Query

(must obtain electronic consent, then log into Clearinghouse to view results)

Query Type
Driver Information
Request Consent

Request Driver Consent

You must obtain the driver's specific electronic consent. This step is required before FMCSA can release to you the information in the driver's Clearinghouse record.

To obtain the driver's electronic consent:

1. Click "Send Consent Request" below.
2. The driver will need to register for the Clearinghouse (if they have not already done so), log into the Clearinghouse, and respond to this request.
3. You will receive a notification once the driver provides, or refuses, his or her consent.

Your Query Balance will be adjusted upon sending this consent request. If the driver refuses his or her consent, your Query Balance will be credited.

Previous
Send Consent Request
Cancel

Query Overview

Type: Pre-Employment (Full) Query | Status: Closed: Query completed | Result: Eligible

Query: Opened: 12/1/2023 | Query Closed: 12/6/2023

Consent: Requested: 12/5/2023 | Recorded: 12/5/2023 | Status: Provided Consent

SHOW LESS

Driver who was queried

John Smith

DOB: January, 18, 1973 | CDL/CLP#: 232131232

State Issued: MA | Country: USA

Driver Information Verified: Yes

SHOW LESS

VIOLATION ID: 1234567 REFUSAL TO TEST	VIOLATION ID: 1234567 ACTUAL KNOWLEDGE	VIOLATION ID: 1234567 DRUG VIOLATION
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Return to Duty (RTD) Status

Open: Negative RTD Test Result: Not completed

Initial SAP Assessment Completed: 12/2/2021

Determined Eligible for RTD Testing: 1/2/2022

RTD Test with Negative Result: Not completed

Follow-Up Testing Plan Completed: Not completed

Violation information

Violation: Refusal to take an alcohol test

Date of Test: 1/18/2020 | Date reported in Clearinghouse: 1/18/2020

Reason for the test: Pre-employment

Drivers Respond to Consent Requests in the Clearinghouse



- Drivers must be registered in the Clearinghouse to provide consent for pre-employment and full queries
- Employers must obtain a driver's consent before querying the driver's violation information
- Drivers who refuse their consent cannot perform safety-sensitive functions (including operating a CMV) for that employer