Federal Motor Carrier Safety Administration

DRUG & ALCOHOL
CLEARINGHOUSE

Registration and Requirements

FOR OWNER-OPERATORS

☑ **Record**
☑ **Consent**
☑ **Query**
☑ **Safety**

What is the FMCSA Commercial Driver's License Drug and Alcohol Clearinghouse?

A secure, online database that gives employers and other authorized users real-time information about commercial driver's license (CDL) and commercial learner's permit (CLP) holders' drug and alcohol program violations.

The Clearinghouse improves safety on our Nation's roadways by ensuring that commercial motor vehicle (CMV) drivers who violate FMCSA's drug and alcohol rules and regulations do not perform safety-sensitive functions, such as operating CMVs, until they complete the required return-to-duty (RTD) process.

What is an owner-operator?

An owner-operator is any employer who employs himself or herself as a CDL driver, typically a single-driver operation. Owner-operators are subject to the requirements pertaining to employers as well as those pertaining to drivers.

Have you registered for the Clearinghouse?

Owner-operators are required to register in and use the Clearinghouse. Read about how your company can stay in compliance with these regulations.

Which role should an owner-operator select during Clearinghouse registration?
DRIVER: Owner-operators who operate under another motor carrier's USDOT Number should register in the Clearinghouse as a driver.

EMPLOYER: Owner-operators who operate under their own authority/USDOT Number must register as an employer. You will also be able to add and verify your CDL information.

Visit FMCSA's Learning Center for more information, including step-by-step instructions on registering your company's employees, conducting queries, responding to consent requests, and more. Visit https://clearinghouse.fmcsa.dot.gov/learn

Before you register

Registering is the first step in ensuring you and your company are compliant with Clearinghouse regulations.

To complete registration:

- **Register** for a USDOT Number and FMCSA Portal account, if needed.
- **Verify your information**. If you currently have a USDOT Number, the Clearinghouse will pull your contact and company information from other FMCSA systems.
- **Select your C/TPA.** As an owner-operator, you are required to work with at least one consortium/third-party administrator (C/TPA). You must reach out to your C/TPA(s) **before** designating them as your C/TPA(s) in the Clearinghouse. Once you designate your C/TPA(s), they can access the Clearinghouse on your behalf.
- **Learn about query plans.** You must purchase a query plan before queries can be conducted in the Clearinghouse by you or your C/TPA(s). Learn about the pricing options and select the one that works best for your business needs. Note that C/TPAs may not purchase a query plan on behalf of an employer or owner-operator.

Questions?

Visit clearinghouse.fmcsa.dot.gov/Contact

How are owner-operators required to use the Clearinghouse?

Once you have registered, you can take the following actions in the Clearinghouse:

- **Report drug and alcohol violations.** This includes alcohol test results with a concentration of .04 or greater, refusals to take an alcohol or drug test, and actual knowledge of a violation.
- Report negative RTD test results and the successful completion of a driver's follow-up testing plan.
- Owner-operators or C/TPAs may report violation information about other drivers employed by the owner-operator. If an owner-operator commits a drug and alcohol program violation, this information must be reported by the C/TPA.
- The information above must be reported by the close of the third business day after the employer or C/TPA is informed.
- **Query all prospective employees** to see if they are prohibited from operating CMVs due to an unresolved drug and alcohol program violation.
- All current employees—including yourself—must be queried at least annually. All queries require driver consent. Queries may be conducted by owner-operators or C/TPAs.
- Until **January 6, 2023**, you or your C/TPA(s) must conduct **both** electronic queries in the Clearinghouse and manual, offline inquiries to previous employers for pre-employment driver investigations.

How do others use the Clearinghouse?

ACTION	TIME FRAME
Providing Consent Drivers are required to log in to the Clearinghouse and provide electronic consent before a current or prospective employer can conduct a full query of a driver's Clearinghouse record.	No specific time frame for consenting to pre-employment queries. If a limited query returns that records were found, a full query must be conducted on the driver within 24 hours, or the driver must be removed from safety-sensitive functions.
Reporting Violations Medical review officers (MROs) are required to report verified positive, adulterated, or substituted controlled substances test results, as well as refusals to take a drug test.	Within two business days of the verification or determination. Within one business day of making any change to the results report, MRO must report that changed result.
Reporting on RTD Progress Substance abuse professionals (SAPs) are required to report to the Clearinghouse when the initial SAP assessment is completed and when the driver is determined to be eligible for RTD testing.	By the close of the business day following the date of the initial assessment. By the close of the business day following the determination the driver is eligible for RTD testing.

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