Beginning January 6, 2020, employers, or their designated consortium/third-party administrator (C/TPA), will be required to conduct queries to check if current and prospective employees are prohibited from performing safety-sensitive functions, such as operating commercial motor vehicles (CMVs), due to an unresolved drug and alcohol program violation.

There are two types of queries:

- **Limited queries**
  - Annual check on currently-employed driver
  - Ad hoc/periodic check on driver
  - Consent refusal: Query cannot be conducted, driver removed from safety-sensitive functions
  - Consent provided: Retain via paper or electronically in driver’s qualification file, request limited query in the Clearinghouse
  - No records found in the Clearinghouse for queried driver

- **Full queries**
  - Pre-employment check on prospective driver
  - Limited query returned records found for queried driver
  - Consent refusal: Employer notified of refused consent, query cannot be conducted, driver cannot perform/safety-sensitive functions
  - Consent provided: Query conducted, full violation and/or RTD details released, if any
  - Prohibited: If driver has a violation and no negative RTD test result, driver is removed from safety-sensitive functions
  - Not Prohibited: If a driver has no violations, or a violation and a negative RTD test result, no action required

All queries require driver consent; the type of consent depends on the query type.

<table>
<thead>
<tr>
<th>Query Type</th>
<th>Reason for Query</th>
<th>Consent Requirements</th>
<th>Consent Responses and Required Actions</th>
<th>Query Results and Required Actions</th>
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<tbody>
<tr>
<td><strong>LIMITED QUERY</strong></td>
<td>Annual check on currently-employed driver OR Ad hoc/periodic check on driver</td>
<td>Outside the Clearinghouse May be electronic or wet signature Limited consent form must specify time range</td>
<td>Consent refused: Query cannot be conducted Driver removed from safety-sensitive functions Consent provided: Retain via paper or electronically in driver’s qualification file Request limited query in the Clearinghouse</td>
<td>No records found in the Clearinghouse for queried driver: No action required Records found in the Clearinghouse for queried driver; full query needed: Full query must be conducted for violation and/or return-to-duty (RTD) details to be released If full query is not conducted within 24 hours, driver is removed from safety-sensitive functions, including operating a CMV</td>
</tr>
<tr>
<td><strong>FULL QUERY</strong></td>
<td>Pre-employment check on prospective driver OR Limited query returned records found for queried driver OR Ad hoc/periodic check on driver</td>
<td>Electronically within the Clearinghouse, for each full query for individual driver</td>
<td>Consent refused: Employer notified of refused consent Query cannot be conducted Driver cannot perform/removed from safety-sensitive functions Consent provided: Query conducted Full violation and/or RTD details released, if any</td>
<td>Prohibited: If driver has a violation and no negative RTD test result, driver is removed from safety-sensitive functions Not Prohibited: If a driver has no violations, or a violation and a negative RTD test result, no action required</td>
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