

DRUG & ALCOHOL CLEARINGHOUSE

Q&A Session for Employers and
Consortia/Third-Party Administrators

December 2020



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**
Common issues users are experiencing
- 6 NEXT STEPS & MORE INFORMATION**
How you can register, learn more, and get technical support

Overview of the Clearinghouse

The Clearinghouse Final Rule

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



Read the Clearinghouse final rule at:

www.fmcsa.dot.gov/regulations/commercial-drivers-license-drug-and-alcohol-clearinghouse

The FMCSA Commercial Driver's License Drug and Alcohol Clearinghouse



Driver consent



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

Query

Employers and **C/TPAs** query the Clearinghouse for violation information, with driver consent

FMCSA uses data for enforcement purposes
State enforcement agencies will receive driver eligibility status (i.e., Prohibited/Not Prohibited)
Drivers can access only their own information

Increasing safety on our Nation's roadways

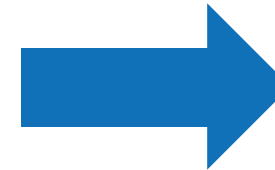


Real-time access to reported violation information for select registered users

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

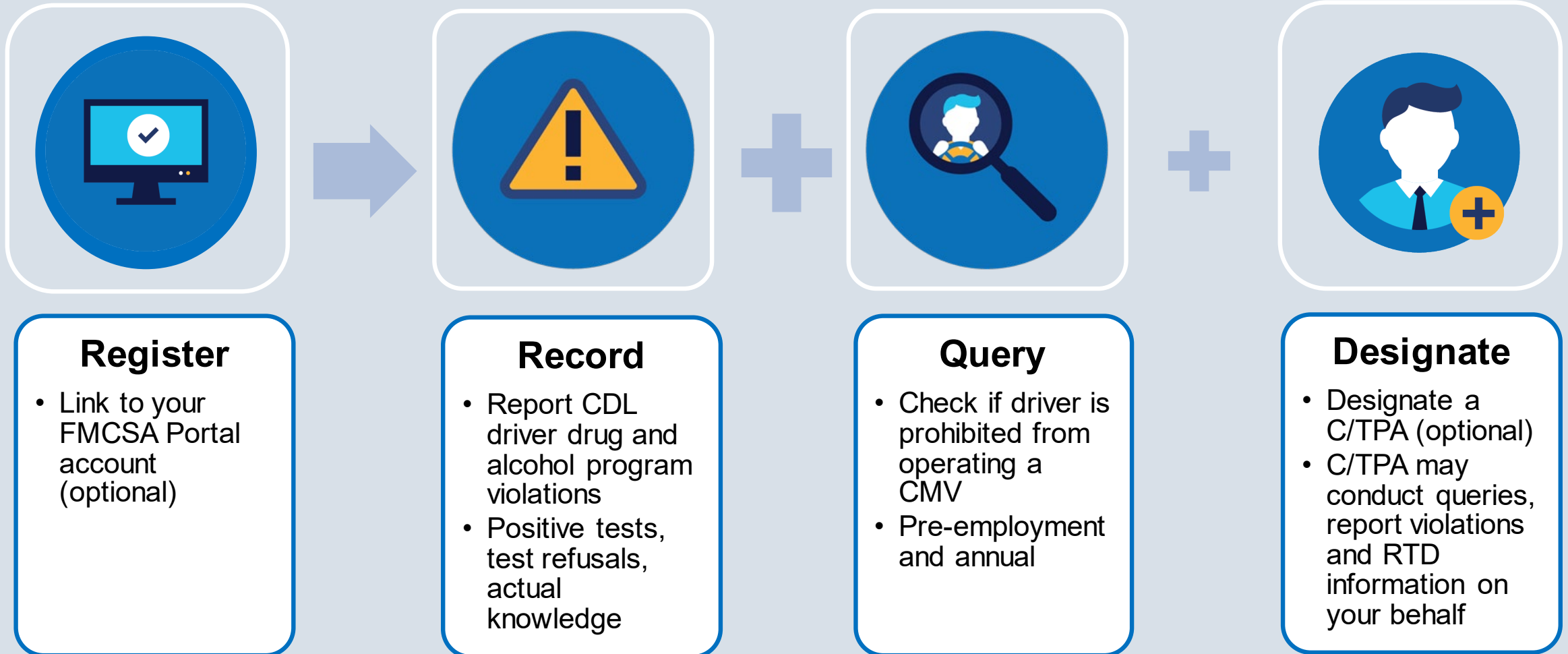
Am I covered by the Clearinghouse rule?

- 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



Owner-Operator Requirements



Register

- Register as an employer, indicate you are an owner-operator
- Link to your FMCSA Portal account (option)
- Add/verify your CDL (optional)



Query

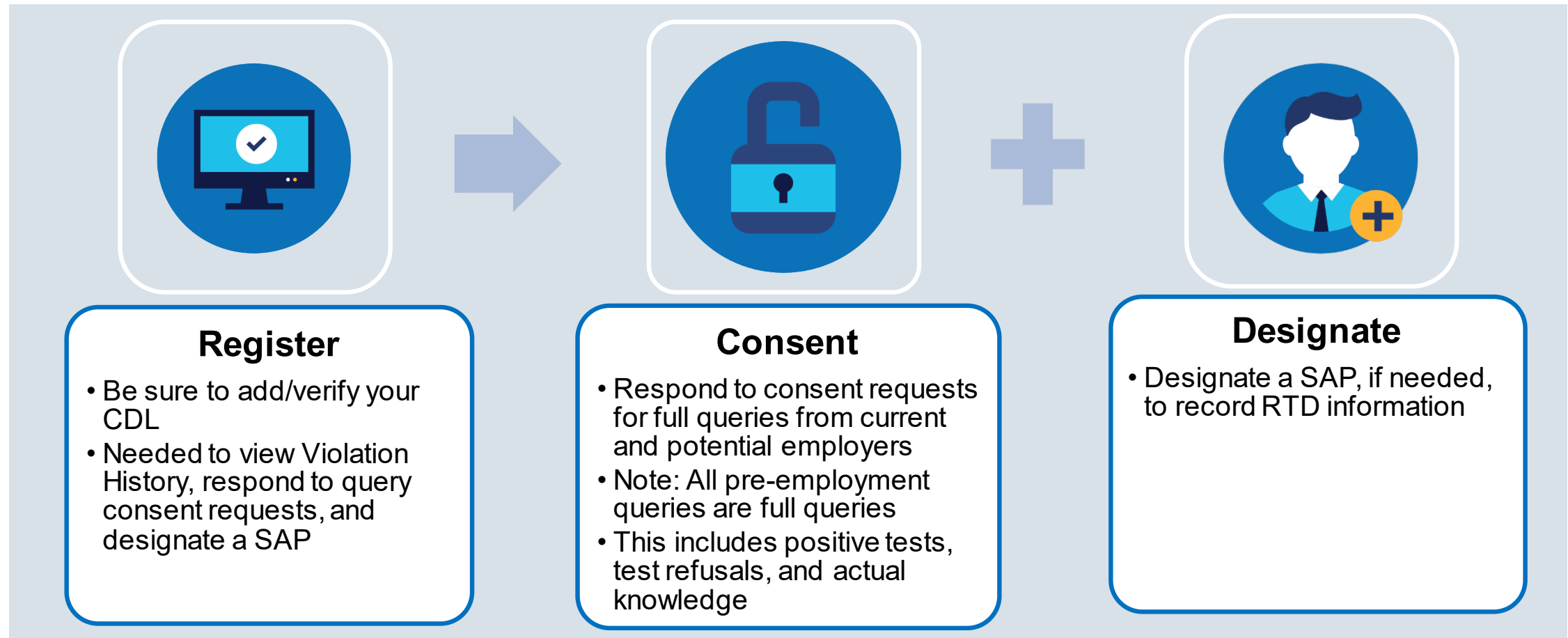
- Check if a driver is prohibited from operating a CMV
- Pre-employment queries on any new drivers
- Annual queries on all drivers, including yourself



Designate

- Designate a C/TPA (required)
- C/TPA must report violations and RTD information
- Owner-operators may designate C/TPA to conduct queries, or conduct their own

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).

Registration

Registering for 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

The screenshot shows the registration process for the Drug & Alcohol Clearinghouse. At the top, there is a navigation bar with the logo and links for FAQ, About, and Contact. A success message indicates the user is logged into their login.gov account. A progress bar shows six steps: 1. LOGIN.GOV (completed), 2. ROLE SELECTION (current step), 3. CONTACT INFORMATION, 4. COMPANY INFORMATION, 5. DESIGNATE C/TPA, and 6. TERMS & CONDITIONS. Below the progress bar, the '2. Select Your Role' section is active, with instructions to use the menu to select the user account type. Five role options are presented with icons and radio buttons: Employer (selected), Driver, Consortium/Third-Party Administrator (C/TPA), Medical Review Officer (MRO), and Substance Abuse Professional (SAP). At the bottom, there is a warning box asking if the user is covered by DOT Drug and Alcohol Testing Regulations, with a 'Find out' link. 'Next' and 'Cancel' buttons are at the very bottom.

Registering for the Clearinghouse – Owner-Operators

- Register as an employer
 - Link to your FMCSA Portal account (optional)
- Select “Yes” when asked if you are an owner-operator
- Designate a C/TPA (required)
 - Must report violation information
 - May conduct queries
- Add/verify your CDL information
 - Needed to view Violation History and respond to query consent requests

DRUG & ALCOHOL CLEARINGHOUSE

FAQ About Contact

Do you need help? Download step-by-step instructions for employer registration.

1 LOGIN.GOV 2 ROLE SELECTION 3 CONTACT INFORMATION 4 COMPANY INFORMATION 5 DESIGNATE C/TPA 6 TERMS & CONDITIONS

4. Company Information

Company Name

Name

Address (Physical)

Street

City

Country State ZIP Code

Company Type

You must inform FMCSA if you are an owner-operator. This means that as an employer, you employ yourself as a driver. This is typically a single-driver operation.

Are you an owner-operator? Yes No

Contact Information

Phone Number Type

Alternate Phone Number (optional) Type

Company Email Address (optional)

Address (Mailing) Same as Physical Address



Previous Next Cancel

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

Portal Roles

Not sure which Clearinghouse user role you will need?

	
DACH Motor Carrier Admin (Employers)	DACH Motor Carrier (Assistants)

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

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: LOGIN.GOV, ROLE SELECTION, CONTACT INFORMATION, COMPANY INFORMATION, DESIGNATE C/TPA (the current step, highlighted with a blue circle and the number 5), and TERMS & CONDITIONS. A help icon and text above the progress bar say '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)

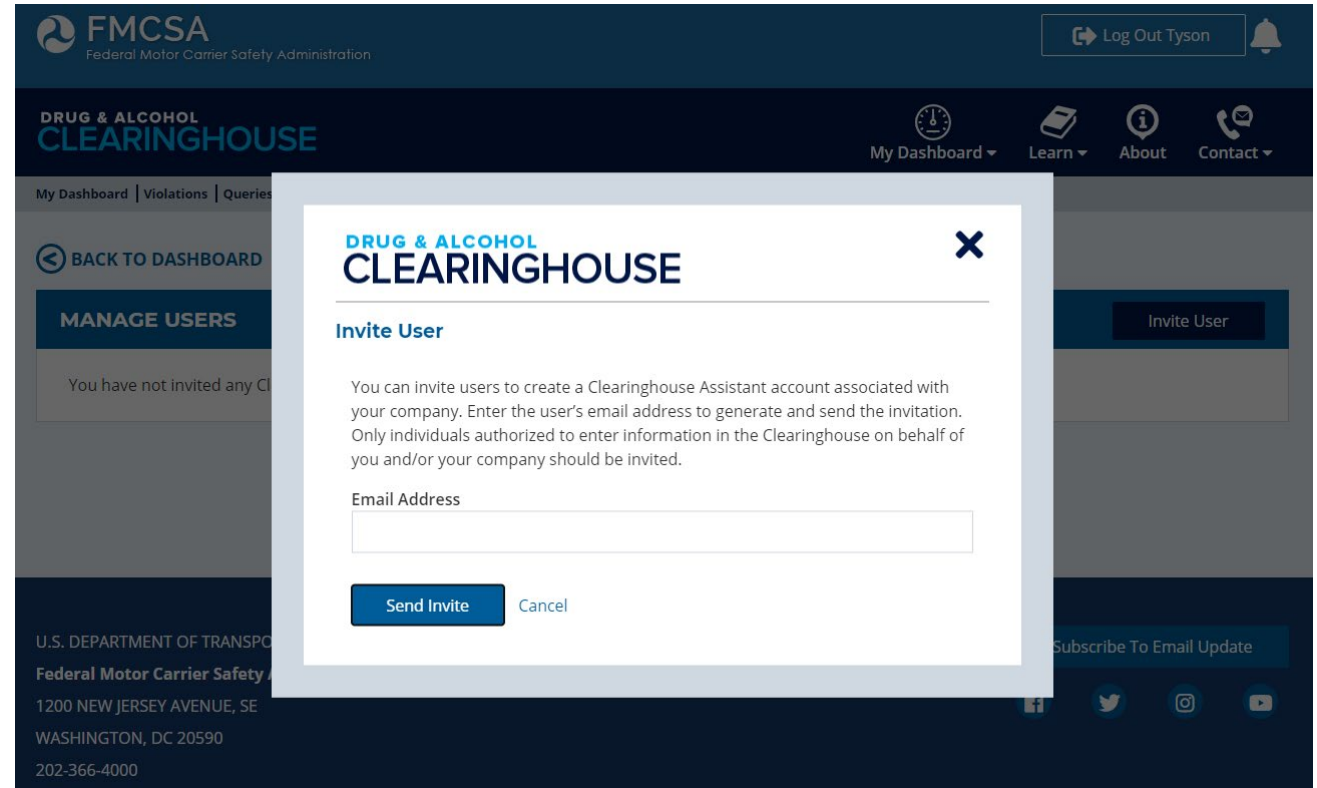
- C/TPAs must be registered in the Clearinghouse before they can be designated
- Employers select the actions a C/TPA may take on their behalf
- **Owner-operators must designate at least one C/TPA to complete the following:**
 - Report violations
 - Report RTD information

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 icon and text prompt users to download step-by-step instructions for employer registration. The current step, '5. Designate Your Consortium/Third-Party Administrator', includes instructions: '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.' Below this is a section titled 'DESIGNATE YOUR C/TPA(S)' with instructions: '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.' There is a search box labeled 'Who is your C/TPA?' with the placeholder text 'Enter the name of the C/TPA managing your drug and alcohol testing program' and a search icon. Below the search box is a section titled 'C/TPA not listed?' with the text: '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 'Previous', 'Next', and 'Cancel' buttons.

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> If you have not yet conducted annual queries, the deadline is January 5, 2021

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

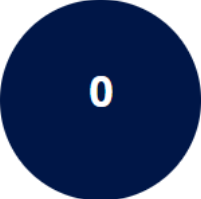


Query Plan Summary

 **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

State of Issuance

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

A sample limited consent form is available in the Clearinghouse Learning Center.

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 at the top with three steps: 'Driver Information', 'Query Type', and 'Conduct Query'. The 'Conduct Query' step is highlighted in a darker blue. Below the navigation bar, the heading 'Conduct Query' is displayed in a large, bold font. The main text explains that this limited query checks for resolved or unresolved drug and alcohol program violations without releasing specific details. It also instructs the user to click 'Conduct Query' to proceed, noting that one query will be deducted from their balance. At the bottom, there are three buttons: 'Previous', 'Conduct Query', and 'Cancel'. The 'Conduct Query' button is highlighted in a darker blue.

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.

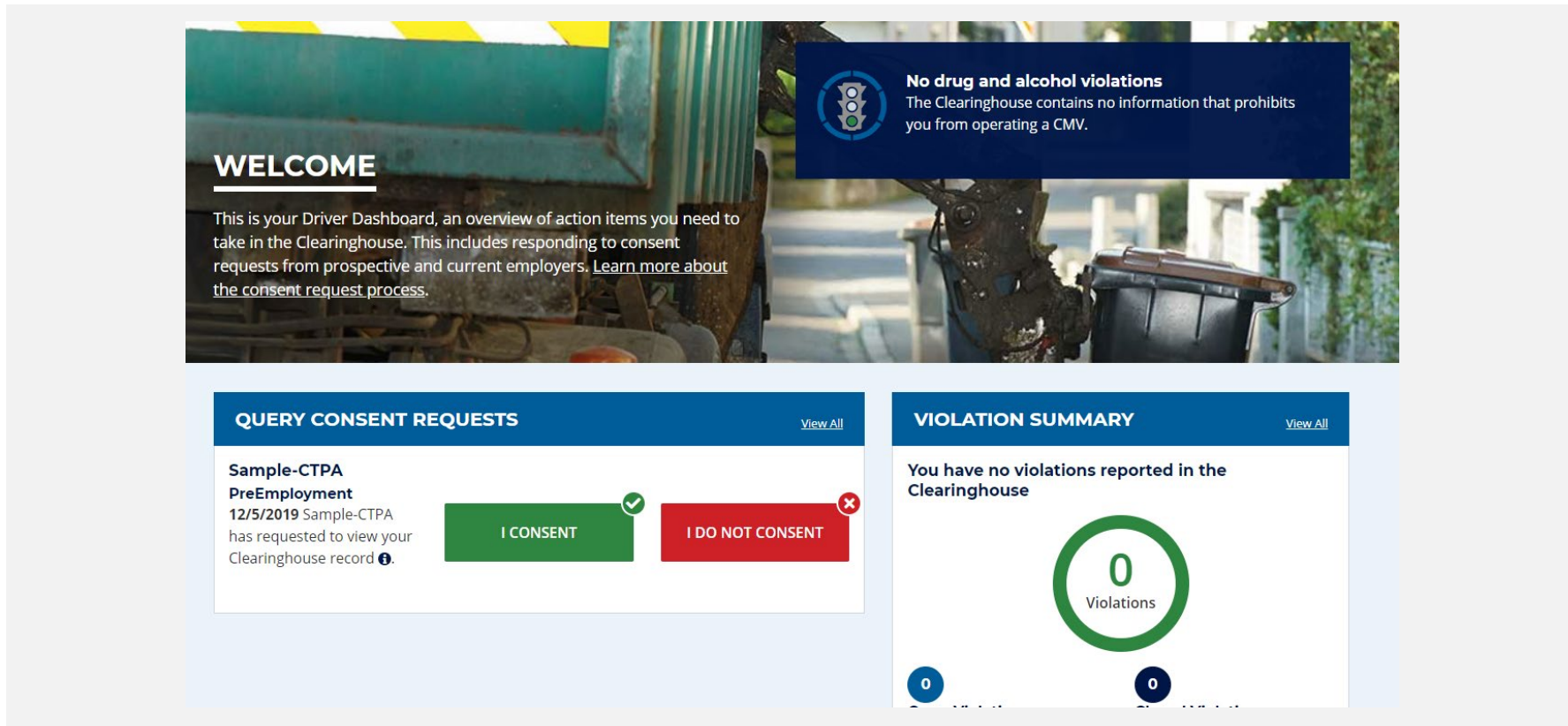
If this driver is not registered in the Clearinghouse, he or she will receive a letter via United States Postal Service (allow 1-2 weeks for delivery) advising him or her to register in the Clearinghouse to respond to this consent request

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



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

[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

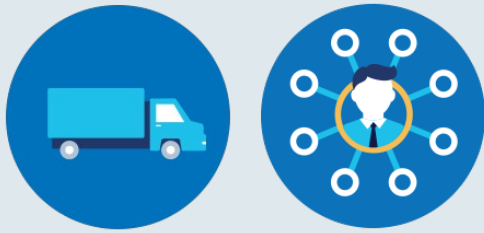
Presidential Employer (11/19/2020 12:46:47 PM)

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

How to Report a Violation – Employers and Designated C/TPAs

▪ Driver Information

- 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
 - Spaces and hyphens should be removed from the CDL number before entering
- Information will be verified against FMCSA systems
 - You will have two attempts to enter the driver's information correctly
 - If the information cannot be validated, it will be flagged for review by FMCSA (data will still be accepted)

The screenshot shows the 'Driver Information' form in the Drug & Alcohol Clearinghouse interface. At the top, there is a navigation bar with 'My Dashboard | Violations: Report | Reports | Manage'. Below this is a progress indicator with four steps: 'Employer Info', 'Driver Info' (which is highlighted), 'Violation Info', and 'Review & Submit'. The main heading is 'Driver Information', followed by the instruction: 'Enter the information of the driver who committed the violation. All fields are required unless otherwise noted.' The form contains the following fields:

- First Name: Text input field
- Last Name: Text input field
- Date of Birth: Three input fields for 'month', 'day', and 'year'.
- Driver CDL Number: Text input field with a help icon.
- Country of Issuance: Dropdown menu with 'country' selected.
- State of Issuance: Dropdown menu with 'state' selected.

At the bottom of the form, there are two buttons: 'Verify Driver Information' (a dark blue button) and 'Cancel' (a light blue button).

How to Report a Violation – Employers and Designated C/TPAs

■ Violation Information

- Employers (or their designated C/TPA) will add alcohol and drug violations

Driver Info > Violation Info > Review & Submit

Violation Information

Enter each violation separately.

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

Previous Next Cancel

Violation Information

Enter each violation separately.

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?
Random

TYPE OF TEST REFUSAL ⓘ (SELECT ONE):

- Fail to appear for any test
- Fail to remain at testing site
- Fail to provide adequate amount of saliva/ breath
- Fail to cooperate with any part of testing process
- Fail to provide sufficient breath specimen with adequate medical explanation
- Fail to undergo medical exam/evaluation as directed
- Fail to sign the certification at Step 2 of ATF

Date of Test
12/02/2019

Previous Next Cancel

How to Report a Violation – Employers and Designated C/TPAs

Review and Submit

- Employers (or their designated C/TPA) will review the information for accuracy and submit the violation

If after you submit a violation you realize you made an error, you can send a request to FMCSA have the violation removed.

Driver Info
Violation Info
Review & Submit

Review and Submit the Violation

Submitting this violation will generate a notification to the driver. If you make an error you will be able to correct it later, but entering the correction information now will avoid unnecessary confusion and additional reporting.

Driver Information

Once a driver's CDL/CLP information is verified, it cannot be edited. If the driver information was entered in error, delete this violation and enter a new one.

Todd Miller
 DOB: 6/17/1963 | CDL/CLP#: 246810
 State: Colorado | Country: United States

Violation Information

Type of Violation: Refusal to test - alcohol violation
 Test Date: 12/2/2019
 Reason for Test: Random
 Type of Test Refusal: Fail to remain at testing site
 Remarks / Additional Information:

I certify that the violation information that I am reporting to the Clearinghouse is accurate and complete. I understand that reporting false, inaccurate, or misleading information to the Clearinghouse may subject me to civil and/or criminal penalties in accordance with applicable law, including 49 USC 521. I further understand that I am participating in a covered transaction and that reporting false information may subject me to government-wide suspension or debarment under 2 C.F.R. Part 180.

Previous
Submit Violation
Cancel

Frequently Asked Questions

- **Will I report violations that occurred prior to January 6, 2020 to the Clearinghouse?**
 - No, only violations that occur on January 6, 2020 or later.
- **How long is the violation information retained in the Clearinghouse?**
 - 5 years or until the follow-up testing plan is successfully completed, whichever is later.
- **Can an MRO or employer report a drug and alcohol program violation if the driver is not registered for the Clearinghouse?**
 - Yes. The Clearinghouse will associate the violation with a driver's CDL information. This will be recorded even if the driver has not registered for the Clearinghouse.

Frequently Asked Questions

- **What information may be challenged by the driver?**
 - The accuracy of the information reported
 - Report of employer's actual knowledge 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
 - **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 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
 - Date the driver's initial SAP assessment is completed
 - Note: Employer must provide the driver with a list of potential SAPs
 - Designated SAP will enter information about the driver's treatment into the Clearinghouse
 - Driver will need to take a negative RTD test, 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.

Common Issues

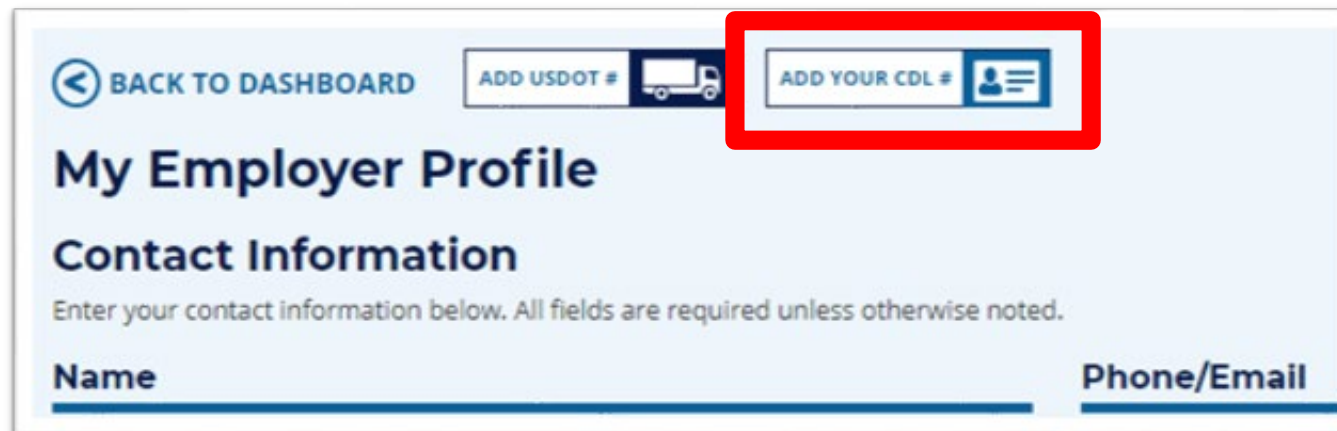
Common Issues – Registration

- **Incorrect Role**
 - **Employer registered as a C/TPA**
 - Cannot designate a C/TPA
 - Cannot purchase a query plan
 - **Employer registered as an Assistant, not as an Admin**
 - Cannot designate a C/TPA
 - Cannot invite Assistants
 - **Employer registered as a Driver**

Common Issues

▪ Add or update CDL

- Click the “Edit Profile” or “My Profile” from the dashboard
- Click the link “Add Your CDL #” in the upper right-hand corner
- Enter information without any spaces or dashes



The screenshot shows a user interface for 'My Employer Profile'. At the top, there are three buttons: 'BACK TO DASHBOARD' with a left arrow icon, 'ADD USDOT #' with a truck icon, and 'ADD YOUR CDL #' with a person icon. The 'ADD YOUR CDL #' button is highlighted with a red rectangular box. Below the buttons, the page title is 'My Employer Profile', followed by the section 'Contact Information'. A note states: 'Enter your contact information below. All fields are required unless otherwise noted.' At the bottom, there are two input fields labeled 'Name' and 'Phone/Email'.

Common Issues

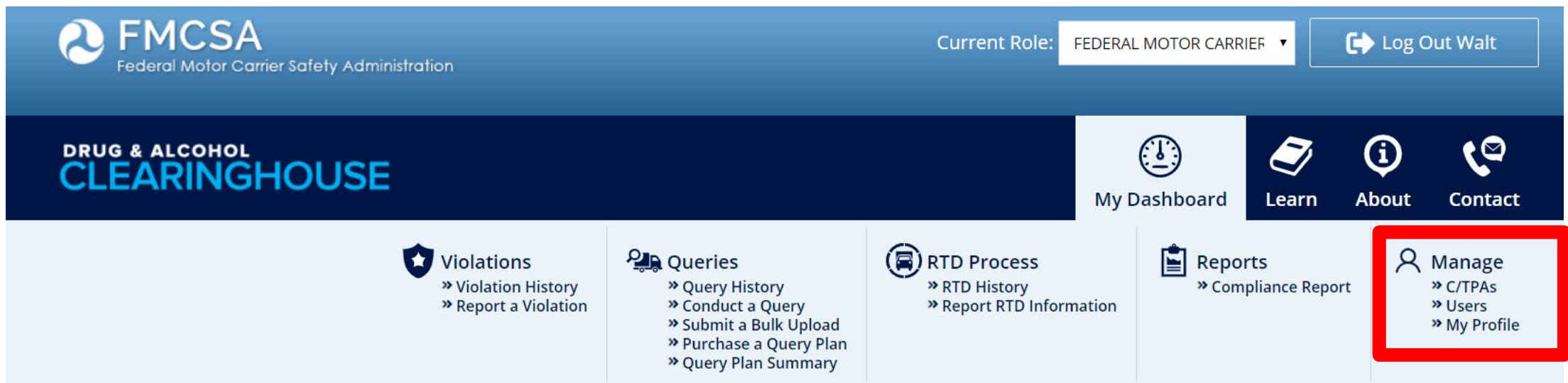
Multiple roles

- Current Role drop down box to switch between roles



Add or Update C/TPA

- Employer role must be set to DACH Motor Carrier Admin in Portal



Common Issues – login.gov

- Change email address and authentication method
 - Log in to <https://secure.login.gov/>.
 - Scroll to add or edit “Two-Factor Authentication.”
 - Click on “Add email”. Then, click on “Delete” next to the email address you are replacing.

LOGIN INFORMATION ↗

Email addresses + Add email

<div style="background-color: black; width: 100px; height: 20px; margin-bottom: 5px;"></div>	
--	--

Password ***** [Edit](#)

TWO-FACTOR AUTHENTICATION 📱

Phone numbers + Add phone

<div style="background-color: black; width: 100px; height: 20px; margin-bottom: 5px;"></div>	
<div style="background-color: black; width: 100px; height: 20px; margin-bottom: 5px;"></div>	default Manage

Authentication app *not enabled* + Add

Security key + Add security key

Common Issues – Violations

- **Driver cannot view query or violation information**
 - Verify MRO or Employer reported the violation
 - Verify correct CDL information was entered for the Driver
 - Verify registration included your CDL information

- **Driver cannot designate a SAP**
 - Ensure violation was reported
 - Verify correct CDL information was entered for the Driver
 - Ensure the SAP is registered
 - Ensure the Driver is entering the SAP's name correctly



Q&A



Next Steps



Register

For information to get started, visit
<https://clearinghouse.fmcsa.dot.gov/Register>

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

