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# Clearinghouse-II Sample Language for CDL Downgrades Due to Clearinghouse Status

*FMCSA does not require that State Driver Licensing Agencies (SDLA) use this sample language to inform CDL or CLP holders that their commercial driving privileges have been removed due to incurring a violation in the Drug and Alcohol Clearinghouse. SDLAs may, however, use or adapt the content as they see fit. SDLAs are strongly encouraged to consult their legal counsel before sending out letters to affected drivers to ensure the letters comply with State laws and processes.*

Notice of CDL Downgrade

You are hereby notified that your commercial driver’s license (CDL) or commercial learner’s permit (CLP) will be (or has been) downgraded because you are currently listed in the Federal Motor Carrier Safety Administration’s (FMCSA) Drug and Alcohol Clearinghouse (Clearinghouse) as prohibited from operating a commercial motor vehicle (CMV) under [49 C.F.R. 382.501(a)](https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B/part-382/subpart-E/section-382.501). A CDL downgrade means that the CLP or CDL privilege is removed from the driver's license. This downgrade is required by [SDLA: INSERT STATE STATUTE/REGULATION REQUIRING THE CDL DOWNGRADE].

Your prohibited status in FMCSA’s Clearinghouse is due to one or more of the following violations entered onto your record in the Clearinghouse:

* A refusal to test, including providing a specimen verified as adulterated or substituted,
* A verified positive test result,
* Controlled substances use,
* Alcohol use that violates [49 C.F.R. part 382, subpart B](https://www.ecfr.gov/current/title-49/part-382/subpart-B), or
* A violation based on an employer’s actual knowledge of prohibited alcohol or controlled substances use, as defined in § [382.107](https://www.ecfr.gov/current/title-49/section-382.107).

**How to Resolve Your Prohibited Driver Status in the Clearinghouse**

You can visit <https://clearinghouse.fmcsa.dot.gov> and log in to the Clearinghouse to view the violation information in your Clearinghouse driver record. A driver who engages in conduct prohibited by [49 C.F.R. part 382, subpart B](https://www.ecfr.gov/current/title-49/part-382/subpart-B) must successfully complete the return-to-duty (RTD) process with a qualified substance abuse professional (SAP).  Upon logging in, the Driver Dashboard will prompt you to identify the substance abuse professional (SAP) you have selected, which is the first step to initiate the RTD process. The requirements for the RTD process are found in [49 C.F.R. part 40, subpart O](https://www.ecfr.gov/current/title-49/subtitle-A/part-40/subpart-O?toc=1), and are summarized in this [RTD quick reference for drivers](https://clearinghouse.fmcsa.dot.gov/content/resources/Clearinghouse-RTD-Driver-Insert.pdf).

Once you have completed the RTD process and your Clearinghouse status is no longer prohibited, [SDLA: INSERT STATE SPECIFIC LANGUAGE ABOUT REINSTATEMENT OF THE COMMERCIAL PRIVILEGE].

[SDLA: INSERT ANY STATE SPECIFIC LANGUAGE ABOUT ADDITIONAL ADMINISTRATIVE PROCESSES CONCERNING THE CDL DOWNGRADE, IF ANY].

**How to Correct Information about Yourself in the Clearinghouse**

Drivers seeking to correct information about themselves, or seeking to correct information recorded about themselves in the Clearinghouse may find assistance on how to do that by visiting the Driver Resources Tab in [Clearinghouse’s Learning Center](https://clearinghouse.fmcsa.dot.gov/Learn).