



## What Commercial Drivers Need To Know About The FMCSA Commercial Driver's License Drug and Alcohol Clearinghouse

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On January 6, 2020, the FMCSA's Commercial Driver's License Drug and Alcohol Clearinghouse will go into effect. Employees, Applicants, Permit Holders, Employers, Medical Review Officers, Substance Abuse Professionals, and Third-Party Administrators all have an obligation and responsibility to use the clearinghouse beginning January 6th. The clearinghouse will be a repository of the following information:

- A verified positive, adulterated, or substituted drug test result
- An alcohol confirmation test with a concentration of 0.04 or higher
- A refusal to submit to any test required by 382 subpart C
- An employer's report of actual knowledge as defined in 382.107
- A substance abuse professional (SAP) report of successful completion of the return to duty process
- A negative return to duty test
- An employer's report of completion of follow-up testing

As a commercial motor vehicle driver subject to drug and alcohol testing under 49 CFR Parts 40 and 382, your first responsibility is to register in the clearinghouse. Registration will begin October 2019, when FMCSA releases the clearinghouse to the general public. During the registration process, you should set your notification preferences for record updates and employer query requests to what best fits your lifestyle. It is

recommended that you select electronic notification in order to avoid delays or removal from safety sensitive functions.

In addition, after January 6, 2020, you will need to use your CDL State and CDL Number on the chain of custody or alcohol testing forms. All data will be captured in the clearinghouse using this as the key identifier. It's important to note, that while you will need to begin using your CDL State and CDL Number on these forms, the forms will still ask you for your social security number or employee ID. FMCSA views your CDL State and CDL Number as your employee ID.

Employers will be required to check the Clearinghouse when hiring a new driver in a safety-sensitive role and on an annual basis. Along with the pre-employment query, employers will need to continue to reach out to previous employers as required under 49 CFR Part 40.25 until January 2023.

Consent for a pre-employment search, or a full annual search, can only be provided within the clearinghouse. The clearinghouse will notify you of all full search requests they receive for your records. Upon receipt of notification of such a query, you will need to sign into the clearinghouse and view your dashboard, where you can choose to consent or reject the consent for any queries being run against your record. Failure to provide consent, or rejection of consent, within 24 hours of a full annual query will require your employer to remove you from safety-sensitive functions.



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Employers may also run a limited query on an annual basis, which will only indicate if you have a record in the clearinghouse. Consent for a limited query will be collected by your employer on a general consent form outside of the clearinghouse. If you do have a record, the employer will be required to run a full query to see the information, and you will need to provide consent within the clearinghouse.

If you have a violation that requires you to use a Substance Abuse Professional (SAP), you will need to designate this individual in the clearinghouse. This will enable the SAP to indicate you have completed your assessment and are ready to begin the required return-to-duty and follow-up testing.

FMCSA has provided a means for you to dispute data that is uploaded in error to your record. The dispute process is not a means for challenging a verified drug or alcohol test, but a method for you to dispute records loaded under your CDL number in error or request removal of DUIs that did not result in a conviction.

**For further information on the clearinghouse or to sign up for email updates from FMCSA, please visit:**  
**<https://clearinghouse.fmcsa.dot.gov>**