

Commercial Driver's License Drug and Alcohol Clearinghouse



The Federal Motor Carrier Administration (FMCSA) recently established the Commercial Driver's License (CDL) Drug and Alcohol Clearinghouse (Clearinghouse). This new database contains information pertaining to violations of the U.S. Department of Transportation (DOT) controlled substances (drug) and alcohol testing program for holders of CDLs.

The Drug and Alcohol Clearinghouse is a secure online database that gives employers, FMCSA, state licensing agencies, and law enforcement personnel real-time information about CDL driver drug and alcohol program violations (CDL driver as defined by FMCSA Part 383).

The Clearinghouse contains information about drivers with commercial driver's licenses (CDL drivers) who are covered by FMCSA's drug and alcohol program. This also includes drivers with commercial learner's permits.

As of January 6, 2020, employers are required to use the Clearinghouse:

- Authorized users are required to complete the actions described in the Clearinghouse final rule.
- Employers are required to conduct both electronic queries and traditional manual inquiries with previous employers to meet the three-year timeframe, required by FMCSA's drug and alcohol use testing program, for checking CDL driver violation histories.
- Drivers may also view their own records for information recorded on or after January 6, 2020.

The Clearinghouse contains information on all CDL driver drug and alcohol program violations. These violations include:

1. Refusing to submit to a required alcohol or drug test
2. Testing positive for use of specified drugs
3. Using alcohol while performing, or within four hours of performing, a safety-sensitive function
4. Using alcohol within eight hours of an accident or until the post-accident test is completed, whichever occurs first
5. Reporting for duty/remaining on duty for a safety-sensitive function with an alcohol concentration of 0.04 or greater or while using any drug specified in the regulations (Part 40), other than those prescribed by a licensed medical practitioner

CDL drivers are all drivers who operate CMVs on public roads, as well as their employers and service agents. This includes, but is not limited to:

- Interstate and intrastate motor carriers, including passenger carriers
- Construction equipment operators
- School bus drivers
- Municipal vehicle drivers
- Federal and other organizations that employ drivers subject to FMCSA drug and alcohol use testing regulations (e.g., Department of Defense, municipalities, school districts)

How will CDL drivers use the Clearinghouse? Beginning January 6, 2020, registered CDL drivers can use the Clearinghouse to:

- Provide electronic consent to release detailed drug and/or alcohol violation information in their Clearinghouse record to a current or prospective employer (when an employer conducts a full query)
- Review their own Clearinghouse record and initiate the process to revise or remove incorrectly-entered information
- Identify a substance abuse professional (SAP) to report on return of duty activities (ROD) if there's an unresolved drug and alcohol program violation in the Clearinghouse record