



CDL Drug and Alcohol Clearinghouse

Regulatory Citation	49 CFR 382.701 - Drug and Alcohol Clearinghouse
What It Is	Standard requires that employers report certain drug and alcohol violations and conduct electronic queries in the Clearinghouse.
Who It Applies To	All authorized users including CDL drivers, employers, C/TPAs, MROs, SAPs and enforcement personnel.
Origination Date	12-5-2016

Overview

The Commercial Driver's License (CDL) Drug and Alcohol Clearinghouse (Clearinghouse) is a secure online database that gives employers, the Federal Motor Carrier Safety Administration (FMCSA), State Driver Licensing Agencies (SDLAs) and State law enforcement personnel real-time information about commercial driver's license (CDL) and commercial learner's permit (CLP) holders' drug and alcohol program violations.

The Clearinghouse contains records of violations of drug and alcohol prohibitions in 49 CFR Part 382, Subpart B, including positive drug or alcohol test results and test refusals. When a driver completes the return-to-duty (RTD) process and follow-up testing plan, this information is also recorded in the Clearinghouse.

The Clearinghouse rule requires FMCSA-regulated employers, medical review officers (MROs), substance abuse professionals (SAPs), consortia/third-party administrators (C/TPAs) and other service agents to report to the Clearinghouse information related to violations of the drug and alcohol regulations in 49 Code of Federal Regulations, Parts 40 and 382 by current and prospective employees.

Employers

The Clearinghouse offers employers a centralized location to query driver information and report drug and alcohol program violations incurred by their current and prospective employees holding CDLs and CLPs. Employers must use the Clearinghouse to:

- Conduct a full query of the Clearinghouse as part of each pre-employment driver investigation process.

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- Conduct limited queries at least annually for every driver they employ.
- Request electronic consent from the driver for a full query, including pre-employment queries.
- Report drug and alcohol program violations.
- Record the negative return-to-duty (RTD) test results and the date of successful completion of a follow-up testing plan for any driver they employ with unresolved drug and alcohol program violations.

Employers may designate a C/TPA to conduct queries and/or report violations on their behalf. The C/TPA must be registered in the Clearinghouse before an employer can select the C/TPA, and C/TPAs must be designated by the employer before reporting drug and alcohol program violations or querying the Clearinghouse on their behalf. Employers must retain records of each query, and all information received in response to each query, until January 6, 2023, at which time an employer who maintains a valid registration will fulfill this requirement.

Drivers

Drivers are not required to register for the Clearinghouse. However, a driver will need to be registered to provide electronic consent in the Clearinghouse if a prospective or current employer needs to conduct a full query of the driver's Clearinghouse record. A driver must also be registered to electronically view the information in his or her own Clearinghouse record.

Registered drivers are able to:

- View their own driver record electronically.
- Provide electronic consent to release detailed drug and alcohol program violation information to a current or prospective employer.
- Identify a substance abuse professional (SAP) so the SAP may enter specific information regarding the driver's return-to-duty (RTD) activities.

The Clearinghouse will notify the driver using the method indicated during the driver's Clearinghouse registration—either mail or email—any time information about the driver is added, revised, or removed. If the driver has not yet registered for the Clearinghouse, these notifications will be sent by mail using the address associated with the driver's commercial driver's license (CDL).

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FAQ & Interpretations

Follow these links:

<https://clearinghouse.fmcsa.dot.gov/>

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