

Let's Share the Road



Welcome

Improving Highway Safety through Safety Educational Programs and Services

Presented By

Erick Kestila

Safety Specialist



U.S. Department of Transportation

Federal Motor Carrier Safety Administration



The MTA Education Center Inc.,
dba Michigan Center for Truck Safety
is a non-profit organization dedicated to
improving highway safety and has been doing
so for the past 30 years.

The Michigan Center for Truck Safety project
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Safety Fund.

Drug and Alcohol Clearinghouse

Docket No. FMCSA-2011-0031



U.S. Department of Transportation
Federal Motor Carrier Safety Administration

What is the FMCSA CDL Drug and Alcohol Clearinghouse?

- Is a secure online database that will give employers, FMCSA, SOS and state enforcement agencies real-time access to important information about CDL driver drug and alcohol program violations.



How will the Clearinghouse improve highway safety?

- Makes it easier for employers to meet their pre-employment investigation and reporting obligations.
- Make it more difficult for drivers to conceal their drug and alcohol program violations from current or prospective employers.
- Provide roadside inspectors and other enforcement personnel with the means to ensure that drivers receive required evaluation and treatment before performing safety sensitive functions.



How will the clearing house improve highway safety?

- Makes it easier for FMCSA to determine employer compliance with testing, investigation, and reporting requirements.



What types of drivers and employers will the Clearinghouse affect?

- All CDL drivers and their employers and service agents.
- Interstate and Intrastate carriers including passenger carriers.
- School bus drivers
- Construction equipment operators
- Limousine drivers
- Federal, State and Municipal agencies subject to FMCSA drug and alcohol testing regulations.



Drug and Alcohol Clearinghouse

Docket No. FMCSA-2011-0031

Overview of the Clearinghouse Rule

- Effective December 2016; compliance date of January 4, 2020
- Establishes a national Clearinghouse that will be a database containing CDL drivers' drug and alcohol program violations and whether a driver has successfully completed the mandatory return-to-duty drug and/or alcohol rehabilitation process
- Clearinghouse requirements fall into two major categories:
 - Reporting and
 - Querying



Drug and Alcohol Clearinghouse

Docket No. FMCSA-2011-0031

Reporting

- Employers, consortia/third party administrators and/or medical review officers will be required to report drug and alcohol testing program violations to the Clearinghouse
- SAPs will be required to report information about drivers undergoing the mandatory return-to-duty drug and/or alcohol rehabilitation process
- Each time information is added to, modified or removed from the Clearinghouse, FMCSA will notify the affected driver
 - To receive electronic notification, drivers will have to register with the Clearinghouse



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Querying

- Employers will be required to query the Clearinghouse for covered drivers for two purposes:
 - Pre-employment screening
 - Annual verification
- **Pre-employment**
 - Purpose: to ensure that the prospective employee is eligible to drive
 - Query-type: full queries would be conducted which means that FMCSA must verify specific driver consent prior to releasing information
- **Annual Queries**
 - Purpose: to ensure that a driver did not violate the drug and alcohol program with another employer.



Drug and Alcohol Clearinghouse

Docket No. FMCSA-2011-0031

Fees

- There will be no fees for a driver to access their own record in the Clearinghouse
- Motor Carriers will pay a fee to query the Clearinghouse; the fee amount will be \$1.25 per query and will include options for subscription and batch use



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How will I use the Clearinghouse?

- EMPLOYERS
- Report drug and alcohol violations and check that no current or prospective employee is prohibited from performing safety-sensitive functions



How will I use the Clearinghouse?

- CDL Drivers
 - View their own record
- Provide consent to current or prospective employers to access details about any drug and alcohol violations.
- Select a Substance Abuse Professional, if needed.



How will I use the Clearinghouse?

- Medical Review Officers
- Report verified positive test results and test refusals



How will I use the Clearinghouse?

- Substance Abuse Professionals
- Report initial return to duty assessment and eligibility status for return to duty



How will I use the Clearinghouse?

- Consortium/Third Party Administrators
- On behalf of an employer, report drug and alcohol program violations and perform driver queries as required.



How will I use the Clearinghouse?

- State Driver Licensing Agencies
 - Query the Clearinghouse prior to completing licensing transactions.
- 3 year delay before they must comply (1/1/2023)



Stay Informed

- For more information
- <https://clearinghouse.fmcsa.dot.gov>



How Will I Use The Clearing house

	DRIVER	EMPLOYER	CONSORTIUM/THIRD-PARTY ADMINISTRATOR (C/TPA)	MEDICAL REVIEW OFFICER (MRO)	SUBSTANCE ABUSE PROFESSIONAL (SAP)
Register as user beginning Fall 2019	✓	✓	✓	✓	✓
Manage assistants (optional)		✓	✓	✓	✓
Select C/TPA*		✓			
Request driver consent for queries		✓	✓		
Consent to full query requests	✓				
Query driver violation information		✓	✓		
Report drug and alcohol program violations		✓	✓	✓	
Select SAP †	✓				
Report on RTD Initial assessment, eligibility for RTD testing					✓
Report on RTD and follow-up testing		✓	✓		

* Selecting a C/TPA is required for an employer who employs him/herself as a driver (owner-operator). For all other employers, this is optional.

† A driver would only need to select a SAP if they have a drug or alcohol violation in the Clearinghouse and enter the Return-To-Duty (RTD) process.



Clearinghouse.fmcsa.dot.gov



 Register

 Login

DRUG & ALCOHOL
CLEARINGHOUSE



FAQ



About



Contact

REGISTER NOW

Registration is open for the Drug and Alcohol Clearinghouse.

To access the Clearinghouse once it is operational, authorized users will be required to request access from FMCSA by registering for the Clearinghouse. Registering this fall is the first step in ensuring you will be ready when the Clearinghouse is operational on January 6, 2020. [Learn more about Clearinghouse registration](#)



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Clearinghouse.fmcsa.dot.gov

Query Plans

Learn about Query Plan Options:
[Factsheet Now Available](#)

Employers of CDL drivers can now review details on purchasing a query plan that will enable them to conduct queries starting January 6, 2020.

Query plans may only be purchased from the FMCSA Clearinghouse website. Query plans will be available for purchase fall 2019.

To conduct limited queries, employers must obtain consent outside the Clearinghouse.
[Download a sample limited consent form.](#)

[Learn About Query Plans](#)

Frequently Asked Questions

Check out the [FAQs page](#) with more than 50 questions and answers. Browse, search, or filter to find the information you need.

How will authorized users access the Clearinghouse?

Authorized users must register and create an account to access the Clearinghouse.

When will authorized users be able to register?

Authorized users may [register now](#).

[Browse FAQs](#)

Resources



Download the resources below and start preparing now for January 6, 2020.

User Brochures

- [CDL Drivers](#)
- [Employers](#)
- [Owner-Operators](#)
- [C/TPAs](#)
- [MROs](#)
- [SAPs](#)

Additional Resources

- [Queries and Consent Requests Factsheet](#)
- [User Roles Card](#)
- [Clearinghouse Factsheet](#)
- [FMCSA Drug and Alcohol Testing Program resources for employers and drivers](#)

[Download All Resources](#)

CDL Driver

What is the FMCSA Commercial Driver's License Drug and Alcohol Clearinghouse?

A secure, online database that will give employers and other authorized users real-time information about commercial driver's license (CDL) and commercial learner's permit (CLP) holders' drug and alcohol program violations, thus improving safety on our Nation's roadways.

Which drivers are covered by the Clearinghouse?

Any driver who holds a CDL (CDL driver) and meets the requirements of the CDL standards (49 CFR Part 383), and the FMCSA Drug and Alcohol Testing Program (Part 382). References to CDL drivers also includes CLP drivers.



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 your Clearinghouse record to a current or prospective employer (when an employer conducts a full query).
- Review your own Clearinghouse record and initiate the process to revise or remove incorrectly entered information.
- Identify a substance abuse professional (SAP) to report on RTD activities, if you have an unresolved drug and alcohol program violation in your Clearinghouse record.

Questions?

Email clearinghouse@dot.gov

Why register this fall?

Beginning January 6, 2020, employers of CDL drivers must query the Clearinghouse to verify that a current or prospective driver is not prohibited from operating CMVs or performing other safety-sensitive functions due to an unresolved drug and alcohol program violation.

Register early to ensure you are ready on January 6, 2020.

While Clearinghouse registration is not required for all drivers, you will need to be registered to view your own Clearinghouse record electronically, or to provide electronic consent for a current or prospective employer to conduct a full query (including a pre-employment query) in the Clearinghouse. Failing to consent to a query will result in a driver being prohibited from performing safety-sensitive functions for the employer conducting the query.



FALL 2019

- Registration Opens**
- Create your user account
 - Visit the Clearinghouse Learning Center



JANUARY 6, 2020

- Implementation Date**
- Mandatory reporting begins

Employers

How will others use the Clearinghouse?

ACTION	TIMEFRAME
Providing Consent Drivers will be required to log into the Clearinghouse and provide electronic consent before a current or prospective employer can conduct a full query of a driver's Clearinghouse record.	No specific timeframe for consenting to pre-employment or ad hoc full queries. If a limited query returns that records were found, a full query must be conducted on the driver within 24 hours, or the driver must be removed from safety-sensitive functions.
Reporting Violations Medical review officers (MROs) will be required to report verified positive, adulterated, or substituted controlled substances test results, as well as refusals to take a drug test.	Within two business days of the verification or determination. Within one business day of making any change to the results report, MRO must report that changed result.
Reporting on RTD Progress Substance abuse professionals (SAPs) will be required to report to the Clearinghouse when the initial driver assessment is completed and when the driver is determined to be eligible for RTD testing.	By the close of the business day following the date of the Initial assessment. By the close of the business day following the determination the driver is eligible for RTD testing.

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DRUG & ALCOHOL CLEARINGHOUSE

Coming
January 6, 2020

FOR EMPLOYERS

- ✓ Record
- ✓ Consent
- ✓ Query
- ✓ Safety



DRUG & ALCOHOL CLEARINGHOUSE

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

16, July 2019



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Employers

What is the FMCSA Commercial Driver's License Drug and Alcohol Clearinghouse?

A secure, online database that will give employers and other authorized users real-time information about commercial driver's license (CDL) and commercial learner's permit (CLP) holders' drug and alcohol program violations.

The Clearinghouse will improve safety on our Nation's roadways by giving employers access to information they need to make informed safety decisions about which employees to place in safety-sensitive functions, including operating a commercial motor vehicle (CMV).



Why register this fall?

Registering this fall is the first step in ensuring you and your company will be ready when the Clearinghouse is operational on January 6, 2020.

Once you are registered, you will be able to take the following actions in the Clearinghouse prior to implementation:

- **Verify your information.** If you currently have a USDOT Number, the Clearinghouse will pull your contact and company information from other FMCSA systems. Register early to verify this information is up-to-date.
- **Designate your C/TPA.** If you work with one or more consortia/third-party administrators (C/TPAs), you must designate them in the Clearinghouse before they can access the Clearinghouse on your behalf. This is required of all owner-operators (employers who employ themselves as CDL drivers).
- **Invite Assistants.** Send invitations to other employees who will access the Clearinghouse on your behalf, allowing them to register as part of your company or organization.
- **Select and purchase a query plan.** Employers will pay a fee when querying the Clearinghouse for current and prospective employees' drug and alcohol program violations. Learn about the pricing options and select the one that works best for your business needs.

Questions?

Email clearinghouse@dot.gov

How will employers use the Clearinghouse?

Beginning January 6, 2020, employers will be required to:

- **Report drug and alcohol violations.** This will include alcohol test results with a concentration of .04 or greater, refusals to take an alcohol or drug test, as well as actual knowledge of a violation.
- **Employers will also report negative return-to-duty (RTD) test results and the successful completion of a driver's follow-up testing plan.**
- **The information above must be reported by the close of the third business day after the employer is informed.**
- **Conduct queries to check if** prospective employees are prohibited from performing safety-sensitive functions, such as operating CMVs, due to an unresolved drug and alcohol program violation.
- **Employers are also required to query all current employees at least annually. All queries require driver consent.**
- **Until January 6, 2023, conduct both electronic queries in the Clearinghouse and manual, offline inquiries to previous employers for pre-employment driver investigations.**



FALL 2019

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JANUARY 6, 2020

- Implementation Date**
- Mandatory reporting begins
 - Both electronic queries and manual inquiries required



JANUARY 6, 2023

- 3 Years of Clearinghouse Data**
- Only electronic queries required

C/TPA (Consortium Third Party Administrator)

How will others use the Clearinghouse?

ACTION	TIMEFRAME
Providing Consent Drivers will be required to log into the Clearinghouse and provide electronic consent before a current or prospective employer can conduct a full query of the driver's Clearinghouse record.	No specific timeframe for consenting to pre-employment or ad hoc full queries. If a limited query returns that records were found, a full query must be conducted on the driver within 24 hours, or the driver must be removed from safety-sensitive functions.
Reporting Violations Medical review officers (MROs) will be required to report verified positive, adulterated, or substituted controlled substances test results, as well as refusals to take a drug test.	Within two business days of the verification or determination. Within one business day of making any change to the results report, MRO must report that changed result.
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DRUG & ALCOHOL CLEARINGHOUSE

Coming
January 6, 2020

FOR C/TPAs

- ✓ Record
- ✓ Consent
- ✓ Query
- ✓ Safety



DRUG & ALCOHOL CLEARINGHOUSE

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



C/TPA

What Is the FMCSA Commercial Driver's License Drug and Alcohol Clearinghouse?

A secure, online database that will give employers and other authorized users real-time information about commercial driver's license (CDL) and commercial learner's permit (CLP) holders' drug and alcohol program violations.

The Clearinghouse will improve safety on our Nation's roadways by giving employers and their service agents access to information they need to make informed safety decisions about which employees must be removed from safety-sensitive functions, including operating a commercial motor vehicle (CMV).



Why register this fall?

Registering before January 6, 2020 is the first step in ensuring you and your company will be ready when the Clearinghouse is operational.

Once you are registered, you can take the following actions in the Clearinghouse prior to implementation:

- **Connect with your clients.** Your client(s) who employ CDL or CLP drivers must designate you as their consortium/ third-party administrator (C/TPA) in the Clearinghouse and assign you permission to report violations, report return-to-duty (RTD) test results, and/or conduct queries on their behalf. If you do not receive this request from your client(s), encourage them to register and send you one.
- **Invite Assistants.** Send invitations to other employees who will access the Clearinghouse on your behalf, allowing them to register as part of your company.
- **Check your clients' query balance.** Your clients will need to purchase a query plan before you can conduct queries on their behalf. Encourage your client(s) to purchase their query plan prior to January 6, 2020 to avoid any unnecessary delays in conducting queries.

Questions?

Email clearinghouse@dot.gov

How will C/TPAs use the Clearinghouse?

Beginning January 6, 2020, you may complete the following actions in the Clearinghouse on behalf of your client(s):

- **Report drug and alcohol violations.** This will include alcohol test results with a concentration of .04 or greater, refusals to take an alcohol or drug test, as well as actual knowledge of a violation.
- Employers or their C/TPAs will also report negative RTD results and successful completion of follow-up testing.
- The information above must be reported by the close of the third business day after the employer or C/TPA is informed.
- **Conduct queries** to check if prospective employees are prohibited from performing safety-sensitive functions, such as operating CMVs, due to an unresolved drug and alcohol program violation.
- All current employees must be queried at least annually. All queries require driver consent.
- Until January 6, 2023, conduct both electronic queries in the Clearinghouse and manual, offline inquiries to previous employers for pre-employment driver investigations.



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JANUARY 6, 2020

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JANUARY 6, 2023

- 3 Years of Clearinghouse Data**
- Only electronic queries required

Queries

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DRUG & ALCOHOL CLEARINGHOUSE

- ✓ Record
- ✓ Consent
- ✓ Query
- ✓ Safety

QUERIES AND CONSENT REQUESTS

Beginning January 6, 2020, employers, or their designated consortium/third-party administrator (C/TPA), will be required to conduct queries to check if current and prospective employees are prohibited from performing safety-sensitive functions, such as operating commercial motor vehicles (CMVs), due to an unresolved drug and alcohol program violation.



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THERE ARE TWO TYPES OF QUERIES:




Limited
queries



Full
queries

All queries require driver consent;
the type of consent depends on the query type.

Limited Query

Query Type	Reason for Query	Consent Requirements	Consent Responses and Required Actions	Query Results and Required Actions
LIMITED QUERY 	Annual check on currently-employed driver OR Ad hoc/periodic check on driver	Outside the Clearinghouse May be electronic or wet signature Limited consent form must specify time range	Consent refused <ul style="list-style-type: none"> Query cannot be conducted Driver removed from safety-sensitive functions Consent provided <ul style="list-style-type: none"> Retain via paper or electronically in driver's qualification file Request limited query in the Clearinghouse 	No records found in the Clearinghouse for queried driver <ul style="list-style-type: none"> No action required Records found in the Clearinghouse for queried driver; full query needed <ul style="list-style-type: none"> Full query must be conducted for violation and/or return-to-duty (RTD) details to be released If full query is not conducted within 24 hours, driver is removed from safety-sensitive functions, including operating a CMV



Full Query

FULL QUERY



Pre-employment
check on
prospective
driver

OR

Limited query
returned records
found for queried
driver

OR

Ad hoc/periodic
check on driver

Electronically within
the Clearinghouse,
for each full query
for individual driver

Consent refused

- Employer notified of
refused consent
- Query cannot be
conducted
- Driver cannot perform/
removed from safety-
sensitive functions

Consent provided

- Query conducted
- Full violation and/or RTD
details released, if any

Prohibited

- If driver has a violation and
no negative RTD test result,
driver is removed from
safety-sensitive functions

Not Prohibited

- If a driver has no violations,
or a violation **and** a negative
RTD test result, no action
required





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Contact Us



If you have questions about trucking regulations, your compliance requirements or available programs and services, please call our toll-free Truck Safety Hot Line at (800) 469-7364

(906) 217-2003

UP Cell: Dan (906) 361-7170

Erick (906) 399-0413

**Visit our website
www.truckingsafety.org**



email questions to our staff
upinfo@truckingsafety.org



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