The Drug and Alcohol Clearinghouse

Overview

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Agenda

• The Final Rule
• Overview – Reporting and Querying
• Next Steps
• Questions and Feedback
The Final Rule

- Published – December 5, 2016
- Compliance Date – January 6, 2020
- Requires FMCSA to establish a drug and alcohol clearinghouse for all CDL holders as mandated by Section 32402 of MAP-21
- The Drug & Alcohol Clearinghouse will be a database containing CDL drivers’ drug and alcohol program violations.
The Final Rule

- Requires FMCSA-regulated entities to report test results
- It will also contain information about 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
Reporting

- Employers, C/TPAs, and MROs 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.
Querying

Employers will be required to query the Clearinghouse for current and prospective employees' drug and alcohol violations

• Determine if the driver is eligible to drive

Employers will be required to annually query the Clearinghouse for each driver they currently employ.
Querying (cont’d)

- State driver licensing agencies will also be required to query the Clearinghouse when a State-licensed driver obtains, renews, upgrades, or transfers his or her CDL.

- The National Transportation Safety Board (NTSB) will be able to access Clearinghouse information for drivers involved in a crash under investigation by the NTSB.
Drug and Alcohol Clearinghouse

**Reporting**
- SAP
- MRO
- C/TPA
- Employer

**Event Triggers**
Positive Drug and Alcohol Test Results
- Reasonable Suspicion
- Random Test
- Post Accident
- Pre-Employment
- Return to Duty & Follow Up
- Refusals

**Enter Follow Up Test Plans**
**Ok to Drive**
**Positive or Refusal**
**Positive or Refusal**
**Actual Knowledge or Refusal**

**Querying**
- SDLA
- FMCSA
- NTSB

**Registering and Notifying**

**Safe Drivers · Safe Vehicles · Secure Identities · Saving Lives**
Next Steps

- Build the Clearinghouse
  - Gathering business and system requirements
  - Modeling after the National Registry
For More Information

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