



UNDERSTANDING THE FMCSA CLEARINGHOUSE

Indiana Testing Inc. (ITI)
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Indiana Testing Inc. (ITI) is a national substance abuse and compliance solution provider founded in 1992.

DRUG & ALCOHOL

- Regulated Drug Testing
- Breath Alcohol Testing
- Random Drug Program Management
- National DOT Consortium
- Nationwide Clinic Database
- Non-Regulated Drug Testing
- Non-Regulated—Hair, Oral, Lab Based Urine and Rapid Testing available
- Onsite Drug & Alcohol Testing

SAFETY & COMPLIANCE

- Electronic Driver Qualification Files
- Motor Vehicle Records (MVR)
- Pre-employment Screening Program (PSP)
- Criminal Background Checks (CBC)
- ELD- Sales and Training
- Maintenance Files
- FMCSR Books
- IFTA / IRP Licensing & Preparation

CONSULTING

- Mock Audits
- Corrective Action Plans (CAP)
- Safety Measurement Plans (SMP)
- On-site Assistance With FMCSA Audits
- Annual Appendix G Inspections
- CSA Data-Q Challenges
- Policy Development
- Onsite Training and Consulting for FMCSA issues

TRAINING

- Supervisor Training (DOT Required Drug/Alcohol)
- D.E.R Training
- Hazmat Refresher Course
- Hours of Service Training (Drivers)
- Hours of Service Training (Managers)
- Appendix G Annual Inspection Mechanic Training
- Specimen Collector Training
- On-Site Training Also Available



TOPIC ONE

What is the Clearinghouse?

How does this impact a motor carrier employer?

What must a motor carrier employer report?

What information will be reported by a C/TPA?



What is the FMCSA Clearinghouse?

- Published December 5, 2016, Mandated by Congress (MAP-21, Section 32402)
- Established requirements for the Clearinghouse
- February 2019, Information Phase
- October 2019, Registration Opens
- January 2020, Clearinghouse implementation date



What is the FMCSA Clearinghouse?

- The Clearinghouse is an electronic database containing records of violations of CDL drivers' in regards to the regulated drug and alcohol program in Part 382.
- Any violation for positive drug or alcohol test results, including refusals will be entered into the Clearinghouse database and recorded based off the drivers commercial drivers license number, name, and date of birth.



How does this impact motor carrier employers?

- The Clearinghouse regulations require employers to both query and report information regarding CDL drivers;
- Employers will be required to report Clearinghouse specified violations of the DOT drug and alcohol testing program incurred by their current or prospective CDL drivers;
- In addition, all employers of CDL drivers must conduct pre-employment full queries to determine whether the prospective new hire has unresolved drug and alcohol violations that prohibit them from performing safety-sensitive functions;
- Employers will also be required to query the Clearinghouse annually to determine whether any current CDL employees have incurred drug and alcohol violations while working for another employer while also working for you.



What information must motor carrier employers report?

- Alcohol confirmation test result with an alcohol concentration of 0.04 or greater;
- Alcohol refusal to test as specified in 49 CFR 40.261;
- Drug refusal to test not requiring a determination by the MRO as specified in 49 CFR 40.191;
- Negative return-to-duty test result;
- Completion of follow-up testing;
- Actual Knowledge, as defined in 49 CFR 382.107;
 - means actual knowledge by an employer that a driver has used alcohol or controlled substances based on the employer's direct observation of the employee, information provided by the driver's previous employer(s), a traffic citation for driving a CMV while under the influence of alcohol or controlled substances or an employee's admission of alcohol or controlled substance use.

****Employers must submit drug and alcohol violations by the close of the third business day following the date on which the employer obtained the information****



What information will ITI report on your behalf as your drug and alcohol C/TPA?

- MRO verified positive, adulterated, or substituted drug test result;
- Alcohol confirmation test result with an alcohol concentration of 0.04 or greater, if your employee tests 0.04 or greater for a breath alcohol test, DER MUST insure that a copy of the COC has been faxed to ITI's MRO;
- Refusal to test (alcohol) as specified in 49 CFR 40.261;
- Negative return-to-duty test result;
- Refusal to test (drug) requiring a determination by the MRO as specified in 49 CFR 40.191;
- Drug refusal to test not requiring a determination by the MRO as specified in 49 CFR 40.191, DER must send to ITI in writing the determination of the refusal to test, then result will be reported;
 - Some examples: [\(THESE ARE JUST EXAMPLES OF SOME COMMON REFUSAL TO TEST SCENARIOS\)](#)
 - 1) Donor does not go to collection site for required drug/alcohol testing after being notified by DER.
 - 2) Donor does not stay at collection site for required drug/alcohol testing.
 - 3) Donor tells DER they do not have time and will not go today.



TOPIC TWO

What is a query?

Are there more than one?

How much do they cost?

When does an employer run a query?



What is a query and what are the different types?

A query is an electronic check in the Clearinghouse database, conducted by an employer or their designated C/TPA, to determine if current or prospective employees are prohibited from performing safety-sensitive functions, such as operating a commercial motor vehicle (CMV), due to unresolved drug and alcohol program violations.

- **Limited Queries:** Checks for the presence of information in the queried driver's Clearinghouse record. Driver consent is obtained outside the Clearinghouse.
- **Full Queries:** Discloses to employers and designated C/TPAs detailed information about any resolved or unresolved violations in a driver's Clearinghouse record.

QUERIES ARE A \$1.25 FLAT RATE FOR LIMITED OR FULL QUERIES. PLANS CAN BE PURCHASED DIRECT THROUGH THE CLEARINGHOUSE.



FACTS FOR LIMITED QUERIES

- Used for currently employed CDL Drivers;
- Must have written consent from all CDL Drivers to run a limited query;
 - *Can use a standard consent for information, stating driver name, company name, pulling query for FMCSA clearinghouse, and date for the duration of employment, signed and dated.*
- Must run a limited query on all drivers at least once per year, but can be ran as many times as you may like.



FACTS FOR FULL QUERIES

- Used for all prospective pre-employment new hires;
- Used for currently employed CDL Drivers that the limited query returned a result that there is information recorded in the Clearinghouse about the queried driver;
- CDL Drivers must give full consent through the FMCSA Clearinghouse.



When must a motor carrier employer query information?

- Employers will be required to conduct a limited query on currently-employed CDL drivers at least once a year. The annual query is the minimum requirement and employers may conduct queries more often, as long as they obtain the employee's consent.
- Prospective employers must conduct a full pre-employment query of the Clearinghouse prior to employing a driver to perform a safety-sensitive function.



IMPORTANT CONSENT INFORMATION

- All queries must have consent;
- If the limited query shows that information exists, the employer is required to obtain the driver's specific consent to conduct a full query. The employer must conduct a full query within 24 hours through the FMCSA Clearinghouse database. FMCSA will then verify that the driver consented to the full query before releasing the information to the employer. If consent is not given by the CDL Driver, the employer may not permit a driver to perform safety-sensitive functions, such as operating a CMV.

BOTTOM LINE: A DRIVER WHO WILL NOT CONSENT TO A QUERY CANNOT DRIVE UNTIL CONSENT IS GIVEN AND A QUERY IS CONDUCTED.



TOPIC THREE

What does this mean for drivers?

Does this involve the Privacy Act Laws?

How can ITI help?

Do you still do the 3 years RFI checks?



What does this mean for your drivers?

- Are drivers required to pre-register? Yes and no! It is not a requirement for drivers to pre-register, but it is recommended. By pre-registering it will help to speed along the consent requirements. Any driver seeking new employment with a motor carrier will be required to register to give consent to the full query;
- Also, registered drivers are able to access their personal information for free to make sure the status is correct;
- For any information that a driver finds in regards to themselves for drug and alcohol violations that is incorrect the driver may request corrections on their Clearinghouse record. Note: Drivers may challenge only the accuracy of information reported, not the accuracy or validity of test results or refusals;
- Drivers will be notified when information about them has been added to the Clearinghouse. They may be notified electronically if they are registered and elect to receive electronic notifications. Otherwise, drivers will be notified via mail using the address listed on their CDL;
- Drivers will be identified by their Commercial Drivers License number in the Clearinghouse database. Social Security numbers will not be used for information tracking;
- Any violations reported into the Clearinghouse on behalf of a driver will remain for 5 years from the date of the violation determination, or until the driver completes the return-to-duty process, whichever is later.



Clearinghouse Privacy Act Requirements and Policy Updates

- The Clearinghouse is subject to certain Privacy Act and Fair Credit Reporting Act regulations;
- Consents must be given; Privacy Act agency can and will verify;
- Drivers have the right to be notified and understand that information was found in the Clearinghouse database and have the ability to file a petition if the information is not accurate;
- DOT Policy updates, verbiage to drug and alcohol policy for reporting and querying the Clearinghouse;
- Consent forms added to DOT policy.



ITI solutions to keeping up with the Clearinghouse:

- DQF program management;
- Tracking and maintaining all required areas of the drivers qualification program and compliance;
- Online portal for easy access from anywhere and any type of device;
- DOT compliant pre-employment application with Clearinghouse consent verbiage;
- Annual MVR tracking and up keep;
- Live status updates for CDLs and Medical Card expirations;
- Full Query Clearinghouse request for all new hires;
- Annual Limited Clearinghouse request and tracking;
- Perform the past 3 year RFI checks; still required.



DRIVER QUALIFICATION PROGRAM PORTAL

FMCSA Form [Back to Form Select](#)

▼ Step 1 - General Information

General Information

First Name: *

Last Name: *

Middle Initial:

Date of Birth: *

Social Security #: *

Email:

Home Phone: *

Cell Phone: *

Addresses
If at present address less than 3 years, provide previous address.

Present Address: * <input type="text"/>	Previous Address: <input type="text"/>
Present City: * <input type="text"/>	Previous City: <input type="text"/>
Present State: * --Select State-- ▼	Previous State: --Select State-- ▼
Present Zip Code: * <input type="text"/>	Previous Zip Code: <input type="text"/>

Driver's License Information
*All license held in the past 3 years

License 1:

State: *

License Number: *

Exp. Date: *

License 2:

State: *

License Number: *

Exp. Date: *

Downloads

- [Drug & Alcohol Policy](#)
- [Driver Training Packet](#)
- [Driver's Rights](#)



DRIVER QUALIFICATION PROGRAM PORTAL

Step 1 - General Information

Step 2 - Driving Experience

Step 3 - List All Traffic Violations / Disqualifications / Convictions, Last 3 Years

Step 4 - Employment History

List past 10 years (per 383.35) - account for all gaps between employers

Employer 1: *

If employer is not listed you must type (and select) 'Other' and type name of employer in line that will appear below.

If you were not employed during the past 10 years you must type (and select) 'Not Employed' and select reason for unemployment from the options that will appear below.

Employer: *

Dates: * From: (MM/YYYY) To: (MM/YYYY)

Address: *

City: *

State: * --Select State--

Zip: *

Phone: *

Fax:

Were you subject to the federal motor carrier safety regulations during this period?

Yes No

Were you subject to 49 CFR part 40 controlled substances and alcohol testing during this period?





DRIVER QUALIFICATION PROGRAM PORTAL

State:	--Select State--
License Number:	
Exp. Date:	mm/dd/yyyy

- ▶ Step 2 - Driving Experience
- ▶ Step 3 - List All Traffic Violations / Disqualifications / Convictions, Last 3 Years
- ▶ Step 4 - Employment History
- ▶ Step 5 - Pre-Employment Alcohol & Controlled Substance Statement
- ▶ Step 6 - Certificate of Compliance With Driver License Requirements
- ▶ Step 7 - Driver Notification & Release
- ▶ Step 8 - Driver Statement
- ▶ Step 9 - D/A Testing Policy Acknowledgement & Consent
- ▶ Step 10 - D/A Training Pkt, Driver Acknowledgement & Addendum
- ▶ Step 11 - Authorization for Post Accident D/A Testing
- ▶ Step 12 - Driver's Rights-Download PDF to right
- ▶ Step 13 - Upload Image of Driver's CDL and DOT Medical Card
- ▶ Step 14 - RFI Authorization





DRIVER QUALIFICATION PROGRAM PORTAL

Applicant's Initials: *

TO BE READ AND SIGNED BY APPLICANT: It is agreed and understood that any misrepresentation given on this application shall be considered an act of dishonesty.

It is agreed and understood that the motor carrier or his agents may investigate the applicant's background to obtain any and all information of concern to applicant's record, whether same is of record or not, and applicant releases employers and person named herein from all liability for any damages of his furnishing such information.

It is also agreed and understood that under the Fair Credit Reporting Act, Public Law 91-508, I have been told that this investigation may include investigating Consumer Report, including information regarding my character, general reputation, personal characteristics, and mode of living.

I agree to furnish such additional information and complete such examinations as may be required to complete my application file.

It is agreed and understood that this application in no way obligates the motor carrier to employ or hire the applicant.

Your consent to the submittal of your employment application and all documents required to complete a Driver Qualification File, including but not limited to, the release of any and all Drug & Alcohol and Accident History for Safety Performance Checks per 49 CFR Part 40/382/391.

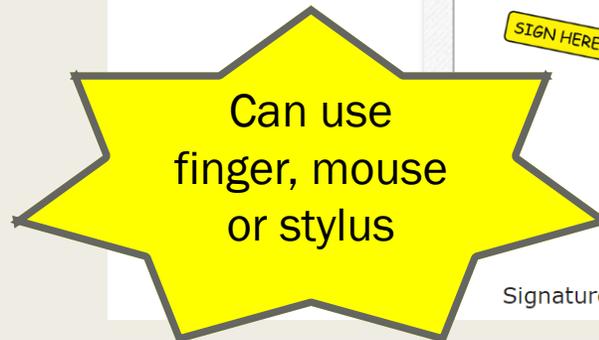
Draw Signature with mouse (finger on touch screens). Click 'Use Signature' when satisfied:

SIGN HERE

Clear Signature

Use Signature

Signature To Use (signature must display below to submit):





DRIVER QUALIFICATION PROGRAM PORTAL

Logout View ITI Documents View Dashboard Upload Documents

Show 10 | 25 | 50 | 100 | All Entries Search:

LAST NAME	FIRST NAME	CDL EXP.	MVR EXP.	PHY EXP.	RFI	CBC
		10/01/2021	01/02/2020	08/15/2020	01/23/2019	
		07/22/2023	03/11/2020	03/02/2021	03/18/2019	
		09/04/2021	07/26/2020	08/12/2021		
		09/12/2022	08/21/2020	02/23/2020	08/26/2019	
		06/19/2022	01/29/2020	09/05/2019	02/01/2019	01/31/2019
		09/22/2021	09/20/2019	08/11/2019	01/06/2016	
		10/01/2021	04/13/2019	03/30/2020	06/09/2017	
		06/22/2024	03/15/2020	04/01/2021		
		08/14/2021	10/24/2019	05/10/2021	10/07/2014	
		05/01/2023	06/28/2020	11/17/2019	01/24/2014	
		02/03/2023	05/21/2020	08/22/2020		
		02/15/2021	08/29/2020	07/03/2020	09/05/2019	

Driver's Last Name and First Name recorded.

Expiration tracking



What does the Clearinghouse Registration look like?



REGISTRATION INFORMATION

United States Department of Transportation About DOT | Our Activities | Areas of Focus

FMCSA
Federal Motor Carrier Safety Administration

DRUG & ALCOHOL CLEARINGHOUSE

[Register](#) [Login](#)

[FAQ](#) [About](#) [Contact](#)

Register for the Clearinghouse now and be ready for implementation



Authorized users must register to request access to information in the Clearinghouse. You will need to sign in with a login.gov account to begin your Clearinghouse registration.

Need a login.gov account? Click the link below to create your login.gov account.

Already have a login.gov account? Click the link below and sign in to your account.

[Go to login.gov](#)

GOVERNMENT PERSONNEL
FMCSA enforcement personnel and State Driver Licensing Agencies should not complete Clearinghouse registration. Log in using your FMCSA Portal credentials.

Why register now?

Don't wait! Registering now lets you complete the steps below so that you can be ready when the Clearinghouse is operational on January 6, 2020.



DRIVERS

Enter your CDL information and confirm all information is accurate in our database.



EMPLOYERS

Does a C/TPA manage your drug and alcohol testing program? Designate them today. Have an FMCSA Portal account? Link it with your Clearinghouse account.



SAPS & MROS

Invite Assistants from your company and get set up so you can record information as soon as the Clearinghouse is operational.





REGISTRATION INFORMATION

LOGIN.GOV | DRUG & ALCOHOL CLEARINGHOUSE



The FMCSA Drug & Alcohol Clearinghouse is using login.gov to allow you to sign in to your account safely and securely.

Are you FMCSA or State Driver Licensing Agency personnel?
FMCSA enforcement and SDLA staff do not need to create a login.gov account to access the Clearinghouse. This includes staff from Departments of Motor Vehicles.
[Visit the Government User login](#)

Email address

Password Show password

Sign In

Don't have an account? [Create an account](#)





REGISTRATION INFORMATION

LOGIN.GOV

DRUG & ALCOHOL
CLEARINGHOUSE

! Are you FMCSA or State Driver Licensing Agency personnel?

FMCSA enforcement and SDLA staff do not need to create a login.gov account to access the Clearinghouse. This includes staff from Departments of Motor Vehicles.

[Visit the Government User login](#)

STEP 1 OF 4

Enter your email address

Email address

Submit

[Cancel](#)

[Security Practices and Privacy Act Statement](#)



REGISTRATION INFORMATION

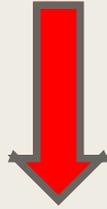


Email will direct you back to the Clearinghouse to create password.

The screenshot shows the registration interface for the Drug & Alcohol Clearinghouse. At the top, it displays the 'LOGIN.GOV' logo and the 'DRUG & ALCOHOL CLEARINGHOUSE' title. The main content area is titled 'STEP 1 OF 4' and 'Check your email', accompanied by an envelope icon. The text explains that an email has been sent to the user's provided email address with a link to confirm it. Below this, there are links for 'Resend' and 'use a different email address'. A final note states, 'You can close this window if you're done.'



REGISTRATION INFORMATION



The following steps are required to be completed two times. First method should be most preferred method.

STEP 3 OF 4
First authentication method setup (1 of 2)
Add a second layer of security so only you can sign in to your account.

You'll only use one authentication method to sign in, but we ask you to set up two. This makes sure you can still sign in if you lose access to one.

Select an option to secure your account:

- Phone**
Get your security code via text message (SMS) or phone call
- Authentication application**
Set up an authentication application to get your security code without providing a phone number
- Security key**
Use a security key to secure your account
- Government employees**
Use your PIV/CAC card to secure your account
- I don't have any of the above**
You can use backup codes as your only authentication method. We'll give you 10 codes that you'll have to keep in a safe place.

Continue

[Cancel account creation](#)



REGISTRATION INFORMATION

LOGIN.GOV | DRUG & ALCOHOL CLEARINGHOUSE



STEP 3 OF 4

Send your security code via text message (SMS) or phone call

We'll send you a security code **each time you sign in**.
Message and data rates may apply.

Phone number
example: (201) 555-0123

How should we send you a code?
You can change this selection the next time you sign in. If you entered a landline, please select "Phone call" below.

Text message (SMS) Phone call

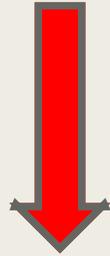
Send code

[Choose another option](#)





REGISTRATION INFORMATION



The security code will be required each time you login to the Clearinghouse portal



LOGIN.GOV | DRUG & ALCOHOL CLEARINGHOUSE

STEP 4 OF 4

Enter your security code

We just called you at

One-time security code

Remember this browser

Entered the wrong phone number? [Use another phone number](#)

[Choose another option](#)



REGISTRATION INFORMATION

LOGIN.GOV | DRUG & ALCOHOL CLEARINGHOUSE

✓ Phone confirmed successfully.

You are now logging in for the first time

You can now sign in to **The FMCSA Drug & Alcohol Clearinghouse.**

Continue

This is the only information login.gov will share with DOT:

✓ Email address

Next steps:
Continue to Clearinghouse Dashboard Portal – follow prompted steps – select a role, do you have a FMCSA portal account, contact information, company information, designate C/TPA, terms & conditions.



Side note information for registration:

**You must know your
user name and password to the FMCSA Portal**

– not just your DOT# and Pin!

**This is to link your FMCSA Portal to your Clearinghouse account
to better help Enforcement Officers.**



Questions?