

Drug and Alcohol Clearinghouse

Frequently Asked Questions & Answers

1. What is the Drug and Alcohol Clearinghouse (Clearinghouse) and what information does it contain?

The 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.

2. My commercial driver's license (CDL) was downgraded due to my "prohibited" Clearinghouse status. How can I get my commercial driving privileges reinstated?

To have your Clearinghouse status change from "prohibited" to "not prohibited," you must complete the return-to-duty (RTD) process, as established by 49 CFR part 40, subpart O. After you complete the RTD process and your Clearinghouse status is updated to "not prohibited," your State Driver Licensing Agency (SDLA) will allow you to reinstate your commercial driving privileges.

For more information about the RTD process, visit the [Clearinghouse Learning Center](#).

3. How is driver violation and return-to-duty (RTD) information recorded in the Clearinghouse?

Per § 382.705, the following individuals must report the following information:

- Employers, or consortia/third-party administrators (C/TPAs) acting on behalf of an employer, enter drug and alcohol program violation information into the Clearinghouse.
- Medical review officers (MROs) enter drug violation information. The driver does not need to be registered in the Clearinghouse for a violation to be added to their Clearinghouse record.
- Substance abuse professionals (SAPs) enter the date of initial SAP assessment and date the driver is eligible for RTD testing.
- Employers enter the negative RTD test result(s) and the date the driver's follow-up testing plan has been successfully completed.

4. Can a driver correct information have recorded about him or her in the Clearinghouse?

Yes. The final rule provides a petition process for drivers to request corrections to their Clearinghouse record (§ 382.717). Drivers may challenge only the accuracy of information reported, not the accuracy or validity of test results or refusals.

5. How does the Clearinghouse impact employers of commercial driver's license (CDL) and commercial learner's permit (CLP) holders?

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. The employer must use the Clearinghouse to:

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

6. If a CDL driver's employer is aware that the driver received a traffic citation for driving a CMV while under the influence of alcohol or controlled substances, the employer must report this to the Clearinghouse as actual knowledge of prohibited use of drugs or alcohol. If the citation does not result in a conviction, may the driver petition to have this violation removed from their Clearinghouse record?

FMCSA is required by statute to include in the Clearinghouse records of violations of 49 CFR, part 382, [subpart B](#). Accordingly, as required by 49 U.S.C. 31306a(g)(6), the actual knowledge violation based on issuance of the citation will remain in the driver's Clearinghouse record even when the citation results in non-conviction, because the violation of subpart B occurred when the citation was issued. In accordance with the final rule published on October 7, 2021 ([86 FR 55718](#)), a report of actual knowledge of prohibited use of drugs or alcohol, based on the issuance of DUI in a CMV, will remain in the Clearinghouse for 5 years, or until the driver has completed the return-to-duty process, whichever is later, regardless of whether the driver is ultimately convicted of the DUI offense. Drivers who are not convicted of the offense may petition to submit documentary evidence of non-conviction to their Clearinghouse record; to learn more about this, view the [new frequently asked questions](#).

7. Why does my license say it's prohibited?

The prohibited status is applied by FMCSA and the Drug and Alcohol Clearing House. Although we are unable to give you a specific cause, we can tell you that it could be anything from refusal to test to a failed drug test.

8. How long does a failed drug test stay on the Clearinghouse record?

Driver violation records will be available in the Clearinghouse for five years from the date of the violation determination, or until the violation is resolved through the successful completion of the return-to-duty (RTD) process and follow-up testing plan, whichever is later.

9. What if my driver is not verified at the DOT Clearinghouse?

If your CDL information cannot be verified, you will need to contact FMCSA to resolve any potential issues. You may continue with your Clearinghouse registration, but you will not be able to review your driver record or respond to employer consent requests until your CDL information has been verified.

10. What does prohibited mean?

The requirement to downgrade commercial driver's license (CDLs) of drivers in a "prohibited" Clearinghouse status rests on the safety-critical premise that drivers who cannot lawfully operate a commercial motor vehicle (CMV).

11. Why can't I verify my CDL on Clearinghouse?

If your CDL information cannot be verified, you will need to contact FMCSA to resolve any potential issues. You may continue with your Clearinghouse registration, but you will not be able to review your driver record or respond to employer consent requests until your CDL information has been verified.

12. I disagree with the FMCSA's decision to prohibit my license. What can I do?

You will need to contact FMCSA to resolve any potential issues.

For additional information, please contact the FMCSA Clearinghouse at:

Phone: 1-800-832-5660

E-mail: clearinghouse@dot.gov

Website: clearinghouse.fmcsa.dot.gov/learn