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December 13, 2019

Do drivers need to register for the FMCSA Drug & Alcohol Clearinghouse?

Questions abound regarding the clearinghouse, with the above question being asked frequently. This communication shares FMCSA's guidance and a more detailed explanation that we have researched with FMCSA staff.

In FMCSA's FAQ document, the question is answered as follows:

*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—this will include all pre-employment queries beginning on **January 6, 2020**.*

A driver must also be registered to electronically view the information in his or her own Clearinghouse record.

*Drivers who register before **January 6, 2020**, will have their Clearinghouse accounts and contact preferences set up, allowing them to quickly respond to query requests from employers on or after **January 6, 2020**. Registration is available at <https://clearinghouse.fmcsa.dot.gov/register>.*

*Last Updated: **November 14, 2019***

FMCSA's entire FAQ document can be seen here:

https://clearinghouse.fmcsa.dot.gov/FAQ/Topics/Queries_and_Consent_Requests

After review with FMCSA staff, and study of the different query types that exist within the clearinghouse, here is additional guidance that we offer regarding driver registration.

1) All employers (which includes Ohio schools with transportation departments) should register with the FMCSA Drug and Alcohol Clearinghouse. The effective date of mandated queries with the Clearinghouse is **January 6, 2020**. Unless registered, a district cannot purchase queries.

After **January 6**, 2020:

2) New driver candidates: Employers must run full queries on all new applicants for CDL driving. To be checked, the driver must enroll in the Clearinghouse. The driver does not have to enroll, but if they do not enroll, they cannot be hired.

3) Currently employed drivers: Employers must complete an annual limited query on currently-employed drivers. Drivers do not need to register themselves for this query to be performed, but the employer must obtain a signed paper consent form outside the Clearinghouse. If drivers do not sign the consent form, the query cannot be conducted, and the driver must be removed from safety-sensitive functions.

4) Drivers who wish to see their own records in the Clearinghouse must register themselves.

Here is a link to a table that describes the different types of queries and the driver requirements for each type: <https://clearinghouse.fmcsa.dot.gov/Resource/Index/Query-Consent-Factsheet>.

As additional questions arise, we encourage you to review the multiple documents that FMCSA has posted on their web page.

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