

# InFocus by Harden:

## Drug Testing for Drivers

### FMCSA FAQs—NATIONAL DRUG AND ALCOHOL TESTING CLEARINGHOUSE

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Are your company and drivers prepared to use the federally mandated clearinghouse next year? On Dec. 5, 2016, the Federal Motor Carrier Safety Administration (FMCSA) issued a [final rule](#) that aims to improve roadway safety by establishing a National Drug and Alcohol Testing Clearinghouse.

Under the final rule, motor carriers and other employers of commercial motor vehicle (CMV) drivers must **use the Clearinghouse** to ensure that current and prospective employees do not have any unresolved drug and alcohol violations that render them ineligible to operate a CMV. Employers will also be **required to report information** about positive drug test results, alcohol test results greater than 0.04 blood alcohol content, refusals to test and other non-test violations of FMCSA's drug and alcohol regulations.

**These requirements took effect on Jan. 6, 2020, the date that the Clearinghouse was scheduled to become operational.** Employers, CMV drivers and other parties will need to register to use the system and may [sign up](#) to receive an email notification that registration is open. This Compliance Overview presents the FMCSA's frequently asked questions and answers ([FAQs](#)) about the Clearinghouse, as updated and expanded in July 2019.

#### LINKS AND RESOURCES

- FMCSA's National Drug and Alcohol Clearinghouse [final rule](#), and [website](#)

Source: Zywave, Inc.

### HIGHLIGHTS

#### FMCSA CLEARINGHOUSE

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- Will allow motor carriers and other employers to identify drivers who are ineligible to operate a CMV.
- Will contain information about violations by employees who are subject to drug and alcohol testing under FMCSA regulations.
- Employers must use the database to ensure current and prospective employees do not have unresolved violations.

#### IMPORTANT DATES

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- Jan. 6, 2020—Employers must begin using the Clearinghouse and must also make manual inquiries with former employers.
- Jan. 6, 2023—Employers will no longer be required to request data from a driver's previous FMCSA-regulated employers.