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Friday Safety Brief

November 11th, 2024

Federal Motor Carrier Safety Administration

DRUG & ALCOHOL CLEARINGHOUSE



COUNTDOWN TO CLEARINGHOUSE-II

IMPLEMENTATION CHECKLIST FOR STATE DRIVER LICENSING AGENCIES



States must achieve
compliance by
November 18, 2024.

NO LATER THAN NOVEMBER 18, 2024, as established in the [Clearinghouse-II final rule](#), States must downgrade a driver's license by removing the commercial driving privilege when the driver has a status of "prohibited" in the Drug and Alcohol Clearinghouse. State Driver Licensing Agencies (SDLAs) must access and use information from the Clearinghouse to determine when a downgrade, or reinstatement, of the commercial driving privilege is needed. For more details on SDLA requirements, see the [SDLA Compliance Factsheet](#).

FMCSA recognizes that each State's implementation strategies may differ. This document is meant to be a guide for States to use in their planning to meet the compliance date of November 18, 2024. Until then, consistent with State law, States may continue to voluntarily query the Clearinghouse to determine whether a CLP or CDL holder is prohibited from operating a CMV, as permitted under current regulations.



Is your State able to enforce the Clearinghouse regulations?

All States must enact legislation and/or regulations, as necessary, to come into substantial compliance with the Clearinghouse requirements set forth in 49 CFR parts [383](#) and [384](#) no later than November 18, 2024.

- Has your State introduced the Clearinghouse query and CLP/CDL downgrade concepts for the legislative session?
- Has your State enacted legislation to adopt and enforce the Clearinghouse query and CLP/CDL downgrade requirements?
- Is the effective date November 18, 2024?



How will your State connect to the Clearinghouse?

States must be able to request and receive data from the Clearinghouse. States may [apply for Commercial Driver's License Program Improvement \(CDLPI\) grant funding](#) to cover system upgrades, as needed.

States can choose from the following options to connect to the Clearinghouse:

OPTION 1

Connecting Directly to the Clearinghouse

If connecting directly, you must select from the methods listed below to ensure you can meet both the query and notification requirements. See the [SDLA check-in webinar presentations](#) for more information on these methods.

Query Methods

- 1 REST Service (pull)
- 2 Web interface (pull)

Notification Methods

- 1 Machine-to-machine (push)
- 2 Machine-read email* (push)
- 3 Person-read email* (push)
- 4 REST Service (pull, frequency TBD)
- 5 Web interface (pull, frequency TBD)

*Email push methods require a pull/query option to retrieve full driver data.

If connecting directly to the Clearinghouse:

- Have you shared the [Clearinghouse Web Services Development Handbook for SDLAs](#) and [Open API Spec](#) with your IT Support Team?
- Has your State completed an Interconnection Security Agreement (ISA) with FMCSA?
 - Note: An ISA is only needed for connecting directly to the Clearinghouse. See the Clearinghouse [SDLA Resources page](#) for more information.
- Has your State selected at least one query and one notification method for retrieving and displaying data from the Clearinghouse?
 - Note: [Contact the Clearinghouse Team](#) to schedule an implementation meeting.
- Have you requested FMCSA Portal accounts for IT staff setting up the direct connection, or for any staff who need to access the web interface?
 - Note: Download the [SDLA Portal Registration Job Aid](#) for step-by-step instructions.
- Have you made any necessary updates to your State's IT system and tested your connection using the services available from FMCSA?

OPTION 2

Connecting via CDLIS (AAMVA-provided solution)

If connecting via CDLIS:

- Have you contacted AAMVA about the process and pricing involved with adding this service?
 - This option will utilize your existing CDLIS connection.
 - Note: AAMVA's technical solution and the process for State adoption is being developed, with more details coming in August 2023.
- Have you completed and passed the required structured testing with AAMVA?





Have you revised your State CDL procedures?

Section [384.235](#) of 49 CFR establishes the requirements SDLAs must meet no later than November 18, 2024.

For a summary of SDLA requirements, see the [SDLA Compliance Factsheet](#).

- Have you revised your procedures to account for the following?
 - Querying the Clearinghouse prior to issuing, renewing, transferring, or upgrading a CDL or issuing, renewing, or upgrading a CLP.
 - Downgrading CDL or CLP privileges within 60 days when notified by FMCSA that a driver is prohibited.
 - Notifying a CLP or CDL holder of a downgrade, if required by State law.
 - Reinstating CDL or CLP privileges when notified by FMCSA that a driver has completed the return-to-duty (RTD) process, or that a driver violation was erroneously entered.
 - Removing any reference to a driver's prohibited status if notified that a violation was erroneously entered.

Note: A new withdrawal code will be added to the AAMVA Code Dictionary for those States that would like to impose an in-State withdrawal when one of their drivers is subject to a drug and/or alcohol CMV driving prohibition. Though it is not a Clearinghouse requirement to take a withdrawal, every State will need to complete programming and pass structure testing with AAMVA in order to receive and accept the ACD code from another State regardless of whether your State will use the code for a Clearinghouse downgrade.



Have you trained your staff to meet Clearinghouse requirements?

SDLAs should develop materials to educate staff about the upcoming changes to the CLP and CDL licensing process to ensure they are prepared for the November 18, 2024 compliance date.

- Have you trained your staff (license processors, CDL call center personnel, etc.) on the following requirements of the Clearinghouse-II final rule?
 - When they need to query the Clearinghouse and how to query the Clearinghouse using your State's adopted method.
 - How to initiate the downgrade process when a driver has a "prohibited" Clearinghouse status.
 - How to reinstate the commercial driving privilege, if needed, when notified by FMCSA about a change in a driver's Clearinghouse status to "not prohibited."
 - How to answer questions from drivers.



Need more information?

- Read the [Clearinghouse-II final rule](#).
- Read the Clearinghouse-II [frequently asked questions](#).
- Visit the Clearinghouse [SDLA Resources page](#).