

Thank You for Joining Us!

- This webcast will cover ...
 - A regulatory overview
 - Best practices in compliance
 - A case study in implementation
 - Question & Answer session
- \bullet You will be muted during the event.
- Please use the Q&A feature to send in questions. We'll try to answer them during the Q&A period if they are not covered in the presentation.
- The slides and recording will be posted within 7 days at: www.jjkeller.com/nptcinfo



Copyright® 2023 All Rights Reserved



2



















Drug and Alcohol Clearinghouse Regulations Tom Bray J. J. Keller & Associates, Inc.

NPTC =

What is the Clearinghouse (§382.107)?

- A database of drivers that have:
 - Tested positive for drugs or alcohol on a DOT-required test
 - Refused a required DOT drug or alcohol test (including adulterated or substituted)
 - Been caught in an actual knowledge situation
 - $\bullet\,$ Completed steps in, or fully completed, the return-to-duty process
- Drivers with a violation in the Clearinghouse are listed as "Prohibited" and cannot operate CMVs* until RTD testing is passed and entered



Copyright® 2023 All Rights Reserve



Who Inputs the Data (§382.705)? • MROs (§382.705(a)) Verified positive drug testing results Refusals to test involving the MRO No medical evaluation verifying shy bladder Adulterated or substituted specimen NPTC = Who Inputs the Data (§382.705)? • Carriers/employers (§382.705(b)) Alcohol test results with BAC of 0.04 or more Refusal to test situations involving the carrier Refusal at collection site is carrier responsibility • Actual knowledge situations Pre- or on-duty use of alcohol (including a DUI citation in a CMV), alcohol use following a crash requiring testing (prior to test), observed or admitted drug use Negative return-to-duty test results Lifts "Prohibited Status" once accepted into the Clearinghouse Completion of follow-up testing J. J. Keller NPTC

Who Inputs the Data (§382.705)?

- C/TPAs
 - Can make entries required of the carrier/employer
 - Carrier must authorize C/TPA to act on their behalf



Commission 2022 At Pinter Process



Who Inputs the Data (§382.705)?

- Substance Abuse Professionals (SAP)
 - · Date of initial assessment
 - Date SAP determined the driver completed education/treatment
 - SAPs manage the first step in driver returning
 - No SAP evaluation and completion dates in Clearinghouse, driver cannot advance and have Prohibited status lifted





10

Who Uses the Data?

- Carriers(§382.701)
 - · Pre-employment
 - Query prior to operating a commercial vehicle

 - Full pre-moly prior to specially control to the Clearinghouse and authorize the release of information (§382.703)

 - No query rests, driver cannot drive
 - Annually queries
 - . Within 12 months of the most recent query

 - Can be a limited query
 Limited query permitted with written authorization from the driver
 - If limited query shows data in the Clearinghouse, must be followed by full query within 24 hours





11

Who Uses the Data?

- State licensing agencies (§382.725)
 - Suspend/revoke CDL within 60 days of being Prohibited
 - · Verify Clearinghouse status when there is any license action on the driver's CDL (renew, reissue, unital issue, etc.)
 - Voluntary until November 18, 2024
 - Mandatory as of November 18, 2024





Recent Development

- Clearinghouse is now doing "push" notifications
 - Driver becomes prohibited, any carrier that queried the driver in the last 12 months will be notified
 - Previously only done within 30 days of a pre-employment query
 - Closes loophole

 - Driver applies at another carrier and fails pre-employment
 Current carrier previously would not find out until next annual query





13

Complimentary Drug & Alcohol eBook

- J. J. Keller can help with a wide variety of services, including:
- Overall management of your drug & alcohol program
- Administering third-party testing
- Handling the Clearinghouse requirements
- And more

The experts at J. J. Keller make compliance easy.





Per official Board policy and practice, NPTC does not endorse or promote products and services provided by member companies which sponsor Council programs or events.



Clearinghouse Statistics Tom Moore, CTP National Private Truck Council



CDL/CLP Holder & Organization Registrations



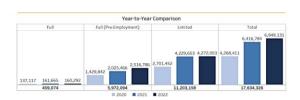
J. J. Keller

Copyright® 2023 All Rights Reserve

NPTC

16

Queries Conducted



J. J. Keller

Copyright® 2023 All Rights Reserve

NPTC =

17

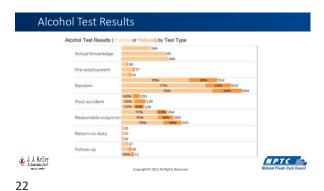
Unique Queries Over the Years





Total Alcohol Violations to Date J. J. Keller NPTC = 20

Drug Test Results Drug Test Results (Positive or Refusal) by Test Type J. J. Keller NPTC =



Substances Identified in Positive Drug Tests

Marijuma Mataboline (A0 THCA)

Cocione Mataboline (EZI)

Methamphresimine (MRT/MAMP)

Amphresimine (MRT/MAMP)

15,206

Methamphresimine (MRT/MAMP)

15

23





Clearinghouse

- Trucks
 - Tractors 141
 - Trailers 137
 - Straight Trucks 1164

• Drivers

- CDL Holders 812
- CLP Holders 112
 - Apply with CDL
 CDL applicants/trainees
- Number of CDL applicants per year • 2020 – 365, 2021 – 382, 2022 – 618





A Come City Ice.

26

Clearinghouse



- ELDT (Entry Level Driver Training)
 - For those not hired with a CLP / CDL, they will go through our CDL program and then will be subject to the annual query check
- Locations
 - 152 locations
 - 74 plants78 terminals
- Who does these checks Centralized at the Cornorate level

CCITCI GIIZCO	·uc	uic	COIL	Joiate	ICVC





Clearinghouse History

Home Bityles

- 2020
 - 238 pre-employment queries performed 1 driver prohibited
- 2021
 - 235 pre-employment queries performed
 - 2 drivers prohibited
- 2022
 - 395 pre-employment queries performed
 - 6 drivers prohibited

- YTD
 - 116 pre-employment queries performed
 - 4 drivers prohibited



Copyright® 2023 All Rights Reserved



28

How We Use the Clearinghouse



Step by Step Process

- 1. Pre-Hire MVR with CLP / CDL is added to excel sheet
- 2. Once hired in HR, I send the registration link to local manager $\,$
- 3. Once driver is registered, I send the consent request
- 4. Driver accepts/refuses consent
- 5. Results come back instantaneously
- 6. Snip results and add to the Driver Qualification file



Copyright® 2023 All Rights Reserved



29





Clearinghouse - Annuals



Annual Query Process

- Run a current driver list of CLP / CDL holders
- Submit a bulk upload on excel sheet
- Any driver that cannot be verified, I go back and check the information and correct any typos
- Approximate 1200 drivers
- Limited Consent
 - Statement on their Application
- Statement on Fleet Policy as well
- How to keep up with these • Personal calendar reminder



Copyright® 2023 All Rights Reserve



32

Clearinghouse – SAP



If a driver tests positive and they are asking what to do next...



Commission 2012 45 Webs December 1



Clearinghouse - RTD / SAP



- · Carrier provides driver with list of acceptable SAPs
- Request to designate SAP (driver should have already had contact with SAP prior to this)
- The SAP has to accept designation request
- The SAP will then need to enter information as they go along: Initial Assessment date and then when the driver is eligible for RTD testing
- The driver will be listed as "Driver Prohibited" in the Clearinghouse until they have a negative RTD result entered for them



Copyright© 2023 All Rights Reserved



34



J. J. Keller

Copyright® 2023 All Rights Reserved



35

Clearinghouse – Open Violations



- A driver could have gone through SAP and completed the RTD testing but not completed the follow-up testing when they come to you as a new potential employee
 - They will not be listed as "Driver Prohibited" if they have had their negative RTD result entered
- If this is the case, you will have to inquire with their previous employer and SAP for the follow-up testing plan and comply with the recommendations listed



Commission 2012 45 Webs December 1





More Questions?



Sr. Industry Business Advisor
J. J. Keller & Associates, Inc.



Executive Vice President
National Private Truck Council
tmoore@nptc.org



38

Copyright® 2023 All Rights Reserved



