

NATIONAL CLEARINGHOUSE FOR POSITIVE DRUG & ALCOHOL RESULTS

ISSUE:

There is a well known loophole in the federal drug and alcohol testing requirements for commercial drivers that is being exploited by some drug-abusing drivers. When a driver moves from one trucking company to another, some “positive” drug and alcohol test results are not being discovered by the hiring company because these “positive” results are self-reported, and not centrally tracked. As a result, the hiring company may not be aware of a driver’s past “positive” drug test results and could be hiring a driver who has not been evaluated, treated and cleared to returned-to-duty by a substance abuse professional.

BACKGROUND:

The trucking industry made Congress aware of this problem in the late 1990’s. In 1999, Congress passed the Motor Carrier Safety Improvement Act which required DOT to evaluate the feasibility and merits of collecting in a centralized manner, “positive” drug test results of commercial drivers. The Federal Motor Carrier Safety Administration (FMCSA) studied this issue and submitted a report to Congress in May of 2004. This report found that a centralized clearinghouse for such results was feasible, cost-effective and, in many ways, more desirable than the current system of driver self-reports and hiring companies contacting previous employers in an attempt to obtain this critical safety-related information.

ATA POSITION:

ATA urges Congress to authorize and fund the development and deployment of a centralized clearinghouse, with appropriate privacy safeguards for drivers, and strict access controls for authorized users. ATA also urges inclusion of positive alcohol test results in a clearinghouse since both drug and alcohol testing are required as part of DOT’s regulatory program.