Guidance on the applicability of the Clearinghouse requirements to CDL drivers who operate in Puerto Rico

## Q&A

Are motor carrier employers operating in Puerto Rico required to query/report to the Clearinghouse if they employ commercial driver’s license (CDL) holders who rely on the CDL to legally operate a commercial motor vehicle (CMV) in Puerto Rico?

## Guidance:

No. The Clearinghouse final rule did not change the underlying requirements in 49 CFR Part 382, which apply to employers of individuals subject to the Federal Motor Carrier Safety Administration (FMCSA) drug and alcohol use testing requirements. As stated in § 382.103, those testing requirements apply to CDL holders who operate a CMV in commerce “in any State.” As defined in § 383.5, State means “a State of the United States and the District of Columbia.”