Guidance on whether an employer is required to conduct pre-employment and annual Clearinghouse queries for drivers who are in a random testing pool regulated by another DOT agency.

## Q&A

Is an employer required to conduct pre-employment and annual Clearinghouse queries for drivers who are in a random testing pool regulated by another DOT agency?

## Guidance:

Yes. An employer is required to conduct pre-employment and annual queries for all drivers subject to drug and alcohol testing under 49 CFR Part 382.

While the employee may perform more than 50 percent of their functions for a mode other than FMCSA, possibly placing the employee in that agency’s random pool, the Clearinghouse query requirements apply so long as the employee performs any FMCSA-regulated functions.