Guidance on Clearinghouse consent requirements]

## Guidance Q&A

What is the consent process for full and limited queries?

## Guidance:

Section 382.703(a) states “No employer may query the Clearinghouse to determine whether a record exists for any particular driver without first obtaining that driver’s written or electronic consent.” The type of consent required depends on the type of query.

For a limited query, a general consent is required. This is obtained outside the Clearinghouse. Employers may obtain a multi-year general consent from the driver for limited queries. A sample limited consent form from the Federal Motor Carrier Safety Administration (FMCSA) is available.

For a full query, the driver must provide specific consent to the employer prior to each full query. This consent must be provided electronically within the Clearinghouse.