Guidance on reporting actual knowledge violations to the Clearinghouse

## Question

What information is an employer required to report to the Clearinghouse when reporting actual knowledge that a CDL driver used alcohol or controlled substance, as defined in § 382.107?

## Guidance:

Per § 382.705(b)(5), when reporting actual knowledge, employers must report the following:

* Driver's name, date of birth, commercial driver’s license (CDL) number and State of issuance;
* Employer name, address, and USDOT number, if applicable;
* Date the employer obtained actual knowledge of the violation;
* Witnesses to the violation, if any, including contact information;
* Description of the violation;
* Evidence supporting each fact alleged in the description of the violation, which may include, but is not limited to, affidavits, photographs, video or audio recordings, employee statements (other than admissions pursuant to § 382.121), correspondence, or other documentation; and
* A certificate of service or other evidence showing that the employer provided the employee with all information reported.