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**Part 382 – Controlled Substances and Alcohol Use and Testing**

**Clearinghouse FAQ**

**Question:** What is considered acceptable documentary evidence of a non-conviction for driving under the influence (DUI) in a commercial motor vehicle (CMV)?

**Guidance:**As set forth in 49 CFR [382.717(a)(2)(i)](https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B/part-382#382.717), a driver who has received a traffic citation for driving a CMV while under the influence of alcohol or controlled substances that did not result in a conviction may petition that FMCSA add documentary evidence of a non-conviction to their Clearinghouse record. This documentation may, for example, include a certificate of disposition from the court, a letter from a prosecutor stating that the charge has been dropped, or a screenshot from a court online docket system that displays the disposition. A statement from the driver, even if provided in the form of an affidavit, will not be considered unless accompanied by documentary evidence as described above.

**FMCSA Drug and Alcohol Clearinghouse**, 1-844-955-0207

**Regulatory Topic:** Clearinghouse FAQ

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