Federal Motor Carrier Safety Administration

DRUG & ALCOHOL
CLEARINGHOUSE

SUBMITTING A PETITION FOR DATA REVIEW

DataQs is a Federal Motor Carrier Safety Administration (FMCSA) system that allows users to request and track Federal and State data on file with FMCSA. Drivers may use DataQs to file concerns about information reported to the Drug and Alcohol Clearinghouse (Clearinghouse) or monitor the status of a current request for data review (RDR).

What can I do if I believe information has been inaccurately recorded about me in the Clearinghouse?

Drivers are permitted to challenge only the accuracy of information in the Clearinghouse reflected in one of the following categories:

- Accuracy of data in driver record
- Actual knowledge violation did not result in a conviction
- Actual knowledge violation did not comply with reporting requirements
- Refusal to test violation did not comply with reporting requirements

Drivers may not use the petition process to challenge the accuracy of test results or refusals.

When can I expect a response to my petition?

Within 45 days of receiving a complete petition, FMCSA will inform the driver, in writing (email or letter), of its decision to retain, remove, or correct the information in the database and provide the basis for the decision.

A driver may request an expedited review if the inaccuracy is currently preventing him or her from performing his or her job duties per § 382.717(e). FMCSA will respond to expedited reviews within 14 days. Note that the driver must provide evidence (e.g., notice of suspension) in order to request an expedited review.

How can I request a review of Drug and Alcohol Clearinghouse information?

Complete the steps below to **create a DataQs account** and **submit a petition** for a review of your Clearinghouse information.

Requesting a Review of Drug and Alcohol Clearinghouse Information

Complete the following steps in order to submit your request.

CREATE A DATAQs ACCOUNT

Owner-operators (employers who employ themselves as CDL drivers, typically a single-driver operation) will log in to DataQs using their FMCSA Portal account. (Don't have a Portal account? Register for one now and request access to DataQs.) Once you have a Portal account and access to DataQs, go to https://dataqs.fmcsa.dot.gov. To log in, select **FMCSA Portal Account**, enter your **Portal user ID and password**, and click the **arrow icon**. Then go to page 3 of this document.

1   **If you are a CDL driver or an authorized driver representative and are new to DataQs, you will need to create a DataQs account.**

Go to https://dataqs.fmcsa.dot.gov. Select **DataQs Account** to sign up for a DataQs account. If you already have a DataQs account, log in and go to page 3 of this document.

2   **Enter your information.** All fields marked with an asterisk (*) are required. When you have finished entering your information, click **Next**.

Once you create your account, you will be directed to your **DataQs profile**.
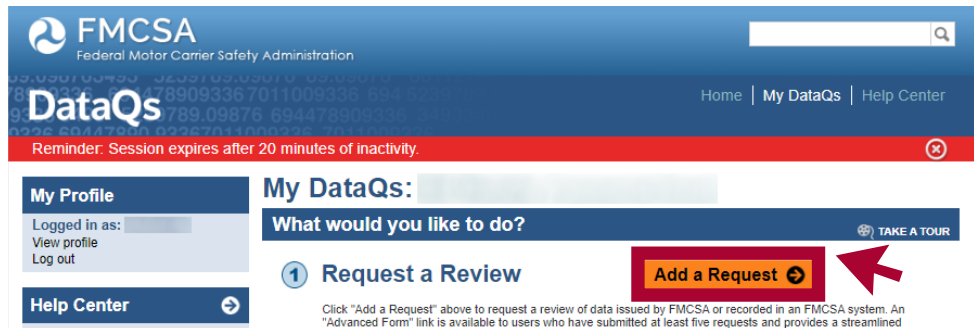
START A PETITION

1 While logged in to your DataQs account, click **My DataQs** in the toolbar.

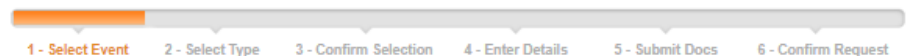**2** To start a new petition, click **Add a Request**.

SUBMIT A PETITION

1 **SELECT EVENT**
Follow the steps in the DataQs wizard to complete your petition.

In Step 1, **select the option under Drug and Alcohol Clearinghouse**, "Submit a petition contesting the accuracy of information reported in the Clearinghouse" and click **Next**.
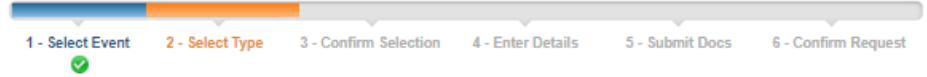
② SELECT TYPE

In Step 2, **select the reason** you would like FMCSA to review your Clearinghouse information and click **Next**. See § 382.717 for details on acceptable reasons for a petition.

> You may not use this petition process to challenge the accuracy of test results or refusals.

Add a Request - Step 2

1 - Select Event   2 - Select Type   3 - Confirm Selection   4 - Enter Details   5 - Submit Docs   6 - Confirm Request

Drug and Alcohol Clearinghouse

Select the reason why you would like FMCSA to review your Clearinghouse information. See § 382.717 for details on acceptable reasons for a petition.

- ◉ Accuracy of data in driver record
- ○ Actual knowledge violation did not result in conviction
- ○ Actual knowledge violation did not comply with reporting requirements
- ○ Refusal to test violation did not comply with reporting requirements
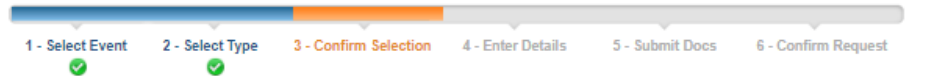
Cancel   ⊖ Back   Next ⊕

③ CONFIRM SELECTION

Once you have selected the reason for your petition, Step 3 will prompt you to confirm your request. In the example provided, "Accuracy of data in driver record" has been selected.

If your selected reason does not accurately explain why you are filing a petition, click **Back** and select the correct option. Once you have confirmed the information is correct, click **Next**.

Add a Request - Step 3

1 - Select Event   2 - Select Type   3 - Confirm Selection   4 - Enter Details   5 - Submit Docs   6 - Confirm Request

Confirm Request Type

You have selected **Accuracy of data in driver record.**

Per § 382.717, petitioners may challenge only the accuracy of information reported to the Drug and Alcohol Clearinghouse. **You may not use this petition to challenge the accuracy of test results or refusals.**

→ If this choice does not accurately explain why you are filing this petition, click "Back", otherwise, click "Next".

Cancel   ⊖ Back   Next ⊕

4 ENTER DETAILS

A Enter your information. If you are an authorized driver representative, enter the information about the CDL driver on whose behalf you are submitting this petition. All fields marked with an asterisk (*) are required.

B Locate your Clearinghouse Record ID Number. This will be listed in your Violation Record in the Clearinghouse.

Enter the Clearinghouse record ID number and the reason for the petition and click **Add record to petition**. If you want to enter more than one record ID number, enter each separately. Make sure to provide adequate details of the reason for your request.

> **WARNING! You must add at least one Clearinghouse record ID number** in order to complete your petition. Otherwise no information will be saved.

C 382.717(e) Request
You will be asked if you have any evidence (e.g., notice of suspension) that the violation in your Clearinghouse record is preventing you from performing safety-sensitive functions. If you select "Yes," you will submit this documentation on the next screen.

When you have selected your response, click **Next**.

Add a Request - Step 4

1 - Select Event 2 - Select Type 3 - Confirm Selection 4 - Enter Details 5 - Submit Docs 6 - Confirm Request

Your previously selected options result in a request type of: **Drug and Alcohol Clearinghouse**

The previously selected review reason is described as follows: Accuracy of data in driver record

Fields marked with an asterisk (*) are required.

Type of submitter * Driver

CDL Driver Information as Appears in the Clearinghouse

First Name *   Middle Name
Last Name *
Mailing Address *   Mailing Address 2
Mailing City *   Mailing Country * United States
Mailing Zip Code *   Mailing State *
Phone *   Email Address

Explanation of Request for Review of Clearinghouse Information

Enter the Clearinghouse record ID number and the reason for the petition and click "Add record To petition." If you want to enter more than one record ID number, enter each separately. You **must add at least one record ID number** before you can to continue. The Clearinghouse record ID number is located in the Drug and Alcohol Clearinghouse. Log into the Clearinghouse, navigate to My Dashboard > Violation Record and select the relevant violation.

Clearinghouse Record ID # *

Why do you want FMCSA to review this information? *
Be sure to provide details about the information reported and why you believe it to be inaccurate.

Add record to petition

382.717(e) Request

○ Yes ○ No   Can you provide evidence or other documentation that this violation is preventing you from performing safety-sensitive functions in accordance with § 382.717(e)? *

Cancel   ◉ Back   Next ◉
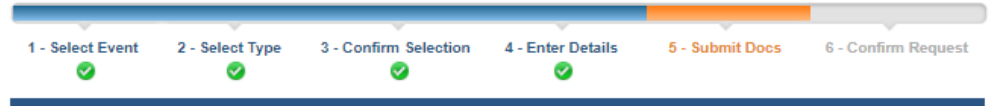
⑤ **SUBMIT DOCUMENTATION**
You must include documentation to support your petition. You can upload documentation on this screen, or you can save a draft of your request and upload your documents later (see page 7). You also have the option to fax in documentation using a fax cover sheet, see page 9 for fax instructions.

If applicable, include evidence that the violation in your Clearinghouse record is preventing you from performing safety-sensitive functions.

Note that you must provide evidence to support your claim that information recorded in your Clearinghouse record is inaccurate. **If you fail to provide sufficient evidence, your petition will be closed with no further action taken.**

Once you have uploaded your documentation, click **Next**.

Add a Request - Step 5

| 1 - Select Event ✓ | 2 - Select Type ✓ | 3 - Confirm Selection ✓ | 4 - Enter Details ✓ | 5 - Submit Docs | 6 - Confirm Request |

Submit Documentation

You must provide evidence to support your claim that information recorded in your Clearinghouse record is inaccurate. If you fail to provide sufficient evidence, your petition will be closed with no further action taken.

Once your request has been submitted, you have the option to upload any additional documentation. You will also have the option to fax in documentation. Submitted documentation should contain appropriate content and support the petition. Reviewers reserve the right to request additional information.

Based on your request type, the following documentation should be submitted with your request:

- Documentation to support your petition
- If applicable, evidence that this violation is preventing you from performing safety-sensitive functions, such as a notice of suspension, notice of termination, etc.

Upload Documentation

To upload your documentation at this time:

1. Select file to upload: [Choose File] No file chosen
   Allowable file size: 5MB
   Allowable file types: DOC, DOCX, PDF, TIF, TIFF, TXT, XLS, XLSX, WPD, ZIP
   Allowable image formats: GIF, JPEG, JPG
   Allowable video formats: AVI, MKV, MP4, MPEG, MPG, WMV

2. Enter a brief title, or select a suggested title from the dropdown menu on the right:

   [   ]   [--Title Suggestion-- ▼]

3. Click upload [Upload]

4. Confirm document is listed in table below

5. Repeat steps 1-4 for each document or continue with submission of your request

The following files have been uploaded for submission:
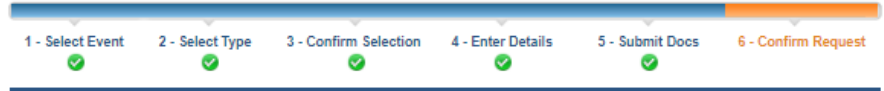
| None uploaded. |

Cancel   ← Back   Next →

⑥ SAVE A DRAFT (OPTIONAL)

Review the information you entered. If your information is not accurate or not yet complete, DataQs gives you the option to save your petition and complete it at a later date. To save a draft of your petition, click **Save Draft**. You should also choose this option if you need instructions on submitting your documentation via fax (see page 9).

If you are ready to submit your petition to FMCSA without first saving a draft or faxing in documentation, **check the box** to certify your information is true, accurate, and complete. Click **Submit**, and go to page 12 of this document.

Add a Request - Step 6

| 1 - Select Event ✓ | 2 - Select Type ✓ | 3 - Confirm Selection ✓ | 4 - Enter Details ✓ | 5 - Submit Docs ✓ | 6 - Confirm Request |

Confirm Request

Review all entered information for accuracy.

Request Type: *Drug and Alcohol Clearinghouse*
Type of submitter: Driver

👤 CDL Driver Information as Appears in the Clearinghouse

Name:			
Address (Line 1):		Address (Line 2):	
City:		State:	
Zip:		Country:	United States

👤 CDL Driver License Information as Appears in the Clearinghouse

License Number:		State:	

📋 Explanation of Request for Review of Clearinghouse Information

The following Clearinghouse record(s) have been requested to be reviewed:

Clearinghouse Record ID #	Reason for Petition
1234567	The CDL Number associated with my Clearinghouse account is incorrect.

📋 Request for Expedited Treatment

Can you provide evidence or other documentation that this violation is preventing you from performing safety-sensitive functions in accordance with § 382.717(e)? *   Yes

📎 Supporting Documents

The following files have been uploaded for submission:

None uploaded.

Caution

Company officials will be notified of any requests related to their U. S. DOT Number if they have a validated DataQs account. Read this related FAQ for more information.

Warning

Any intentionally false or misleading statement, representation, or document that you provide in support of this DataQs request may subject you to prosecution for violation of Federal law punishable by a fine of not more than $10,000.00 or imprisonment of not more than 5 years, or both (18 United States Code 1001).

☐ * By clicking this box, I certify/understand that the statements and information I am submitting in support of this request are, to the best of my knowledge, true, accurate, and complete.

Cancel   ⬅ Back   **Save Draft**   **Submit**

7 **EDIT A SAVED DRAFT (OPTIONAL)**

To complete your petition and/or submit additional documentation, log into your DataQs account and click **My DataQs** in the toolbar.

Click the **Details** link next to the ID number to review or revise that petition. This allows you to finalize your request and submit your draft petition to FMCSA for review. You may also add documentation and driver responses to any previously-submitted petition until that petition is closed.

What would you like to do?   🎞 TAKE A TOUR

① **Request a Review**   **Add a Request ⊙**

Click "Add a Request" above to request a review of data issued by FMCSA or recorded in an FMCSA system. An "Advanced Form" link is available to users who have submitted at least five requests and provides a streamlined submission process.

Motor carriers may access their safety data in the following FMCSA systems:
- Safety Measurement System (SMS)
- Safety and Fitness Electronic Records (SAFER) System
- Portal website

Drivers may obtain their data through the following FMCSA systems:
- Purchase commercial driving history from the Pre-Employment Screening Program (PSP) website, or request it through a Freedom of Information Act (FOIA) request (learn more in the Help Center).
- Review drug and alcohol program violation information in the Drug and Alcohol Clearinghouse.

② **Monitor Requests**

To monitor the status of your request (or add/delete information), select "Details" in the List of Reviews Requested below. Note: Only the requests matching the search criteria above the List of Reviews Requested will be displayed. To Change or modify the search criteria, click on Advanced Search.

List of Reviews Requested

0 Open	**0** Pending	**0** Closed	**0** Notifications

ID # SEARCH [   ] **Go** Advanced Search   🖩 SAVE LAYOUT   📊 EXPORT

SEARCH CRITERIA:

[1]   Page **1** of **1**, items **1** to **1** of **1**.

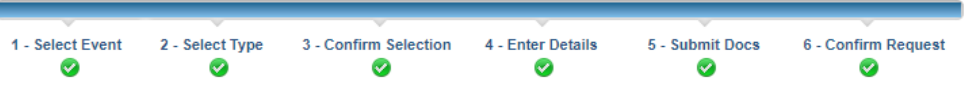|	ID #	DETAILS	EVENT STATE	STATUS	LAST UPDATED	TYPE
	▦	▼	▼	▼	▼	
>		Details		Save Draft	03/31/2020	Drug and Alcohol Clearinghou

8 **FAXING DOCUMENTATION (OPTIONAL)**

Once you have saved your draft, DataQs will provide a link to a cover sheet you can use to fax any supporting documentation to FMCSA.

Follow the instructions provided to fax your documentation using the auto-generated cover sheet that contains a unique barcode. This fax cover sheet ensures that your petition documentation is automatically added to your request. Note that if you do not use the provided cover sheet with the unique barcode, your documentation will not be added automatically and you will have to wait for it to be processed manually before you can submit your petition.

Once you are ready to submit your petition, click **View Your Request**.

Request Saved

1 - Select Event	2 - Select Type	3 - Confirm Selection	4 - Enter Details	5 - Submit Docs	6 - Confirm Request
✓	✓	✓	✓	✓	✓

Your Request Was Successfully Saved

ID Number:

Request Type: Drug and Alcohol Clearinghouse

Assigned To: FMCSA Drug & Alcohol Clearinghouse

Drug & Alcohol Clearinghouse

You have saved your petition as a draft. Your petition will not be reviewed by FMCSA until you complete the submission process.
Before you submit this petition for review, you will need to provide documentation to support your petition. The more information you provide, the faster your petition can be reviewed.

To fax your documentation:
1. Print the **Fax Cover Sheet** for request ID
2. Send fax to (202) 688-2675
3. Confirm fax was assigned to the request approximately 5 minutes after sending

...your draft petition, select **View Your Request**.

Add Another Request	**View Your Request**	Return to My DataQs

This will take you to a summary of the information you have entered so far. Click **Add Response/Documentation** to expand the page. This expanded view allows you to add a response, insert a comment to include with your petition, or upload additional documentation.

Petition Submitter

Type of submitter: Driver

Edit ✏

CDL Driver Information as Appears in the Clearinghouse

First Name: ▮▮   Middle Name:

Last Name: ▮▮▮▮

View More ✓   *Edit* ✏

CDL Driver License Information as Appears in the Clearinghouse

License Number: ▮▮▮▮▮

Country: United States   State: Alabama

Edit ✏

Explanation of Request for Review of Clearinghouse Information

Petition Type: Accuracy of data in driver record

Edit ✏

Clearinghouse Record ID
▮▮▮▮▮
Reason for petition: The CDL Number associated with my Clearinghouse account is incorrect.

382.717(e) Request

Can you provide evidence or other documentation that this violation is preventing you from performing safety-sensitive functions in accordance with § 382.717(e)? *   Yes

Edit ✏

Supporting Documents

The following files have been uploaded for submission

Date Uploaded	Document Name	Title	Content Type	Size (bytes)
04/29/2021 9:18 AM	Document.pdf	Registration information	application/pdf	1007327

Response List

Add Response/Documentation ➡

When you are sure that all information is complete and accurate, click **Submit**.

Upload Document (optional):

1. Select file to upload: | Choose File | No file chosen
   Allowable file size: 5MB
   Allowable file types: DOC, DOCX, PDF, TIF, TIFF, TXT, XLS, XLSX, WPD, ZIP
   Allowable image formats: GIF, JPEG, JPG
   Allowable video formats: AVI, MKV, MP4, MPEG, MPG, WMV

2. Enter a brief title, or select a suggested title from the dropdown menu on the right:

   [   ] | --Title Suggestion-- ▼ |

3. Click upload | **Upload** |

4. Confirm document is listed in table below

5. Repeat steps 1-4 for each document or continue with submission of your response

To fax your documentation (optional):

1. Print the Fax Cover Sheet for request ID [   ]
2. Send fax to (202) 688-2675
3. Confirm fax was assigned to the request approximately 5 minutes after sending

WARNING:

Any intentionally false or misleading statement, representation or document that you provide in support of this DataQs Request may subject you to prosecution for violation of Federal law punishable by a fine of not more than $10,000.00 or imprisonment of not more than 5 years, or both. (18U.S.C. 1001)

By clicking "Submit", you certify that the statements and information you are submitting in support of this Request are, to the best of your knowledge, true, accurate, and complete.
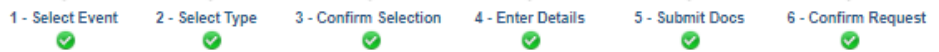
| ⊗ Cancel | | **Submit** |

YOUR REQUEST HAS BEEN SUCCESSFULLY SUBMITTED

Your petition has been assigned an ID number for reference. You will receive an email or letter from DataQs after initially submitting your request and another once FMCSA has made its determination. If FMCSA determines that the record needs to be corrected in the Clearinghouse, you will receive a notification from the Clearinghouse once that correction has been made.

You can review or revise your petition or monitor responses from FMCSA by clicking **Return to My DataQs**. You can also access this page at any time by clicking the **My DataQs** link in the toolbar.

REQUEST AN ADMINISTRATIVE REVIEW

If you believe the FMCSA decision in response to your petition was made in error, you can request to have your petition reviewed again. This second review is referred to as the Administrative Review. Note that the decision of the Administrative Review will be considered the final Agency action under 49 CFR § 382.717.

As with your initial request, you will receive an email or letter from DataQs after submitting your request for an Administrative Review, as well as another notification once FMCSA has made its determination. If FMCSA determines that the record needs to be corrected, you will receive a notification from the Clearinghouse once that correction has been made.

1 While logged in to DataQs, click **My DataQs** in the toolbar. Click the **Details** link next to the ID number of the petition you want to submit for administrative review. On the Details page, scroll down and click **Add Response/Documentation**.

2 **Check the box** next to, "I would like to have this request reviewed again," **provide a response** to explain your request, and **upload any supporting documentation**. When you are finished, click **Submit**.

Add Response/Documentation

Fields marked with an asterisk (*) are required.

☑ **I would like to have this request reviewed again.** The response description and any uploaded documents will provide further information to support my request.
Note: you can only do this once per request.

Response Description * *(4000 characters)*

Upload Document (optional):

1. Select file to upload: Browse... No file selected.
   Allowable file size: 5MB
   Allowable file types: DOC, DOCX, PDF, TIF, TIFF, TXT, XLS, XLSX, WPD, ZIP
   Allowable image formats: GIF, JPEG, JPG
   Allowable video formats: AVI, MKV, MP4, MPEG, MPG, WMV
2. Enter a brief title, or select a suggested title from the dropdown menu on the right:
   [   ] [--Title Suggestion-- ▾]
3. Click upload Upload
4. Confirm document is listed in table below
5. Repeat steps 1-4 for each document or continue with submission of your response

To fax your documentation (optional):

1. Print the Fax Cover Sheet for request ID 2624669
2. Send fax to (202) 688-2675
3. Confirm fax was assigned to the request approximately 5 minutes after sending

WARNING:

Any intentionally false or misleading statement, representation or document that you provide in support of this DataQs Request may subject you to prosecution for violation of Federal law punishable by a fine of not more than $10,000.00 or imprisonment of not more than 5 years, or both. (18U.S.C. 1001)

By clicking "Submit", you certify that the statements and information you are submitting in support of this Request are, to the best of your knowledge, true, accurate, and complete.

⊗ Cancel   Submit