



U.S. Department  
of Transportation

# DOT PROGRAM OVERVIEW

Federal Drug Testing Advisory Board  
March 7, 2023

Office of Drug and Alcohol Policy and Compliance  
*Bohdan Baczara – Deputy Director*

# CURRENT ISSUES

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COVID-19 Guidance



Driver Clearinghouse Database



Rule Making – Oral Fluid NPRM



MIS Aggregate Data

# COVID-19 GUIDANCE

- Still in effect:
  - Guidance issued by DOT Agencies (FRA, FAA)
  - ODAPC Guidance
    - Statement of Enforcement Discretion for Substance Abuse Professionals and Service Agents (Effective January 1, 2023)
      - Extends the option of remote evaluations by SAPs –
        - ✓ must be via two-way audio-visual remote video
        - ✓ Effective until any final rule following the NPRM published 02.28.2022

<https://www.transportation.gov/odapc/program-guidance>

# FMCSA DRIVER CLEARINGHOUSE



Operational on January 6, 2020

Employers, MROs, and SAPs to enter Part 382 Violations into database

Quick Stats (as of January 1, 2023):

- Number of Queries Conducted: 17,634,326
- Number of drug violations reported: 182,745
- Number of alcohol violations reported: 4,203
- Top 3 drugs reported: Marijuana, Cocaine, Methamphetamines
- Test reason with most reported drug violations: Pre-employment
- Number of drivers in prohibited status: 120,325

<https://clearinghouse.fmcsa.dot.gov/Resource/Index/monthly-report-Dec2022>

# ODAPC RULE MAKING

- **Oral Fluid Notice of Proposed Rulemaking (NPRM)**
  - Published in Federal Register February 28, 2022
  - Comment Period Ended to April 29, 2022
  - Received 417 comments to the docket
  - Working on the final rule
- **Electronic Signatures, Forms and Records Storage for Drug and Alcohol Testing Records (ANPRM)**
  - Published August 05, 2022
  - Comment period closed October 04, 2022
  - Reviewing/analyzing comments
  - Working on NPRM

# MIS Aggregate Data

***“Support for Patients and Communities Act”* was signed into law on October 24, 2018.**

- SEC. 8103, "DEPARTMENT OF TRANSPORTATION PUBLIC DRUG AND ALCOHOL TESTING DATABASE" required DOT to:
  - 1) Establish and make publicly available on its website a database of the drug and alcohol testing data reported by employers for each mode of transportation; and
  - 2) Update the database annually.
- Here is the link on our website for this data:  
[https://www.transportation.gov/odapc/DOT\\_Agency\\_MIS\\_Data](https://www.transportation.gov/odapc/DOT_Agency_MIS_Data)
- If you have any questions, or think it is of any value to you, reach out to ODAPC at [ODAPCWebMail@dot.gov](mailto:ODAPCWebMail@dot.gov)

# ODAPC RESOURCES

HOME PAGE

<https://www.transportation.gov/odapc>

'Am I Covered?'

<https://www.transportation.gov/odapc/am-i-covered#no-back>

List serve

[https://www.transportation.gov/odapc/ListServe Notices](https://www.transportation.gov/odapc/ListServe_Notices)

Part 40 Page

<https://www.transportation.gov/odapc/part40>

Guidance Page

<https://www.transportation.gov/odapc/program-guidance>

Ask ODAPC

[ODAPCwebmail@dot.gov](mailto:ODAPCwebmail@dot.gov)