



DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2023-0190]

Revisions to DataQs Requirements for MCSAP Grant Funding

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), U.S. Department of Transportation (U.S. DOT).

ACTION: Notice.

SUMMARY: FMCSA addresses comments received in response to the Agency’s July 1, 2025 Federal Register notice titled, “Proposed Revisions to DataQs Requirements for MCSAP Grant Funding.” In addition, FMCSA announces revised DataQs Requirements for Motor Carrier Safety Assistance Program (MCSAP) Grant Funding, based on input from the public, industry, and State Partners.

FOR FURTHER INFORMATION CONTACT: For information concerning this notice, contact Scott Valentine, Data Quality Program Manager, Analysis Division, Office of Research, FMCSA, 1200 New Jersey Avenue S.E., Washington, DC 20590-0001, (202) 366-4869, Scott.Valentine@dot.gov. If you have questions regarding viewing or submitting material to the docket, contact Dockets Operations, (202) 366-9826.

SUPPLEMENTARY INFORMATION:

This notice is organized into the following sections:

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I. Background

DataQs is the online system for motor carriers, commercial motor vehicle (CMV) drivers, and other interested parties to request and track a review of Federal and State crash and inspection data submitted to and stored by FMCSA that the requestor believes is incomplete or incorrect. This system is critical to allowing users to ensure the data FMCSA maintains is accurate and complete. Users can review their own data and request corrections to erroneous or incomplete data records. Each year FMCSA publishes information on approximately 3 million inspections, 5 million violations, and over 180,000 vehicles involved in Federally-reportable crashes. In 2024, DataQs received 8,314 requests on crash data and 63,548 requests concerning inspections and violations.

On July 1, 2025, FMCSA issued a Federal Register notice (90 FR 28860) that addressed comments received in response to the Agency's September 14, 2023 Federal Register notice titled, "Appeal Process: Requests for Data Review" (88 FR 63195). In addition, the Agency's July 1, 2025 notice proposed revisions to the DataQs requirements for MCSAP Grant funding in response to the comments to the 2023 notice. The comment period closed on September 2, 2025.

II. Summary of Public Comments and Response

FMCSA received 223 docket comments in response to the July 1, 2025 Federal Register notice. Of these, 105 submissions contained comments that were relevant to the proposal, and 20 commenters specifically addressed the questions posed in Section V of the notice. The commenters included motor carriers, drivers, owner-operators, industry associations, safety consultants, and members of the enforcement community. The following entities submitted comments on the proposed changes: Air Support Inc., AIST Safety Consulting, Alamo Supplies LLC, American Trucking Associations (ATA), Arizona Start Trucking, LLC, AWM Associates,

LLC, Barney Trucking, Bisran LLC, Brenntag North America, California Highway Patrol (CHP), Chemicals Inc, Commercial Vehicle Safety Alliance (CVSA), Commodity Transporters, Contractor Transport LLC, CORT Business Services Corporation, Dean Transportation, Inc., Dot Compliance Services, EL Trucking Inc., Elliott Safety Services LLC, Elo Max Transport, Environmental Restoration LLC, Farias Transportation, Fencing Supply Group, FTI Coach, GetGo Transportation, GoRiteway Transportation Group, Inc., Green Lines Transportation, Inc., Greyhound Lines, Inc. (Greyhound), Gypsum Express LTD, HVMC Transportation LLC, Independent Carrier Safety Association, JW Didado Electric LLC, K-3BMI, Kansas Highway Patrol (KHP), Knight-Swift Transportation, KODEA-LTS, Lawrence Transportation Company, Leaders Moving Co, Lindsey Petroleum Transport, Marck Trucking LLC, Maryland Department of Transportation/State Highway Administration, MP Environmental Services Inc, My Fleet AI, Navigator Truck Insurance Agency, Nebraska State Patrol, NFI Transportation, New Jersey Department of Transportation (NJDOT), North Carolina State Highway Patrol, NUCO2 Supply, LLC, OffSpec Solutions DBA Cool Mountain Transport, Owner-Operator Independent Drivers Association (OOIDA), Panther Creek Transportation, PI&I Motor Express Inc., Pope Consultant Services, LLC, Puget Sound Transfer & Storage, Ray Walker Trucking, Royalane Trucking LLC, Specialty Delivery & Logistics, Inc., Spur Transit, Steve Talkington Consulting, Inc., Tennessee Highway Patrol, Texas TransEastern Inc., TJ Potter Trucking, TNT Service LLC, Trans Alliance LLC, TransOil Marketing, Transport Express Inc., Truckload Carriers Association (TCA), Truline Corp, Universe Transport LLC, VASCOR Transport LTD, Tim Watson, Nadir Ali, and other individuals who did not identify their organizations. Many stakeholders provided comments on multiple aspects of DataQs and other FMCSA programs.

There were 118 comments that were outside the scope of the proposed revisions to DataQs requirements for MCSAP grant funding and are not discussed in this notice. Of these, 43 comments related to the Drug and Alcohol Clearinghouse, 19 focused on the Crash Preventability Determination Program, 23 followed up on a specific DataQs request, 21 covered

other FMCSA topics (e.g., FMCSA Portal, Safety Measurement System, adjudicated citations, Pre-Employment Screening Program, warnings, inspections), and 12 discussed the broader trucking industry.

The majority of the relevant comments were supportive of FMCSA's proposal to revise the DataQs requirements for MCSAP funding. Common themes from the comments included support for improving the timeliness of reviews, ensuring impartial and fair decision-making through multi-level reviews, improving uniformity in the review processes across States, and incorporating independent or third-party reviewers into the Request for Data Review (RDR) process.

The following sections provide a summary of the comments received related to the five questions posed in the July 1, 2025 Federal Register notice and the Agency's responses.

Question 1: FMCSA outlined proposed revisions to DataQs requirements for MCSAP Grant funding in Section IV in the July 1, 2025 Federal Register notice. What are the potential benefits associated with this proposal? What are the potential challenges?

Potential Benefits

Ten commenters (ATA, CHP, CVSA, Greyhound, KHP, Knight-Swift Transportation, NJDOT, OOIDA, TCA, and Tim Watson) outlined potential benefits of the proposed revisions to the DataQs requirements. ATA, CVSA, Greyhound, Knight-Swift Transportation, and OOIDA stated that the proposed revisions will offer benefits, including greater consistency, timeliness, and objectivity in the RDR process. OOIDA cited the 75-day timeline to complete the RDR process and the requirement to have RDRs that are "Closed – No Data Correction Made" reviewed by a third-party as "two transformative changes" that will build trust in the DataQs process and improve the accuracy and completeness of FMCSA data. Tim Watson echoed OOIDA stating that the "the greatest provision is for a 'second set of eyes' on the request," which will lend more credibility to the process. ATA and Greyhound emphasized the importance of FMCSA ensuring States are in compliance with the new requirements. ATA also voiced

support for the requirement to make approved DataQs Implementation Plans publicly accessible and suggested that FMCSA further assist States and motor carriers in the rollout of these new DataQs requirements by publishing successes and best practices.

Potential Challenges

Seven commenters (ATA, CHP, CVSA, Greyhound, KHP, NJDOT, and TCA) outlined potential challenges associated with the proposed revisions. ATA, CHP, and NJDOT mentioned that the robust multi-level review process may increase workloads for States. NJDOT added that any new staff hired to meet the increased demand will require training on the new multi-level review process. ATA and CVSA noted another challenge: ensuring that States implement the requirements as consistently as possible while giving States the flexibility to account for their own size, structure, and unique characteristics. TCA highlighted that it may be difficult to ensure reviews are “conducted in good faith,” as bias could still exist if all reviewers are from the same agency or department. KHP voiced concern that the new process would provide the opportunity for bad actors to create and submit more fraudulent requests and supporting documentation.

FMCSA Response

FMCSA acknowledges that the new requirements will be a change for States. Every State that does not have a multi-level review process in place will need to incorporate one and every State will need to develop an implementation plan. While challenging, these steps have the potential to systematically improve RDR outcomes and create a more streamlined process in the long-term. States already implementing similar review processes to that proposed by FMCSA have shared with FMCSA that they receive fewer repeat RDR submissions.

In addition, support for these DataQs requirements will be an allowable expense under FMCSA’s MCSAP Grant Program. For example, States may use this funding to hire additional staff/create a new role, to support the additional time needed for the multi-level review process, and to provide training/onboarding for staff. FMCSA expects to begin training and outreach on the new requirements, including the DataQs Implementation Plans, in Spring 2026.

FMCSA recognizes the challenge of ensuring consistent implementation of the new requirements while allowing States to account for their own unique characteristics. These requirements aim to improve oversight by setting timelines and making State and FMCSA processes more transparent. The DataQs Implementation Plans will let each State customize how they meet these requirements. In addition, tying the DataQs requirements to MCSAP funding will help ensure the new standards are applied fairly and consistently.

FMCSA agrees that State compliance with the new requirements will be critical to the Agency's efforts to set high data quality standards. Each State must submit a DataQs Implementation Plan for FMCSA review and approval. Through this review process, FMCSA will work with States to ensure they meet the requirements.

Question 2: What challenges, if any, will States face in adhering to the timelines for each stage of the RDR process? Are there any other factors FMCSA should consider related to timelines?

General Comments

Four commenters (CVSA, Greyhound, KHP, and OOIDA) did not offer challenges but took the opportunity to voice support for the proposed timelines. CVSA also recommended that FMCSA consider "the jurisdiction's average response times, rather than applying these timelines to each individual RDR," which will allow for anomalies that will occur, while holding jurisdictions accountable for timely responses. OOIDA added that DataQs Implementation Plans will assist States in meeting the proposed timelines. Greyhound noted that the 21-day timeframe for an Initial Review or a Reconsideration Review seems reasonable but will require States to respond in a timely and efficient manner.

Challenges

Four commenters (ATA, CHP, TCA, and Tim Watson) noted that State staffing capacity is a key challenge to meeting the proposed timelines. ATA mentioned that States with large inspection volumes and limited staff may have difficulty meeting deadlines and quicker timelines

for review and response may strain resources. Tim Watson added that the quicker reviews could increase personnel hours. CHP stated that it may be difficult to coordinate and schedule the 30-day Final Review with a panel that does not include any previous reviewers.

Other Factors for Consideration

Two commenters (ATA and CVSA) recommended FMCSA apply the same timelines to Federal responses to ensure industry is receiving timely responses from both their State and Federal partners. ATA also asked for clarification on whether the timelines are based on business days or calendar days. CVSA recommended using business days for the timelines when staff are reasonably expected to work.

Two commenters (Greyhound and TCA) provided additional input on the 21-day response period for an Initial Review or a Reconsideration Review. Greyhound asked for clarity on what will happen if a State fails to render a decision or requests more information within the 21-day period. TCA noted that many of their members believe the 21-day response period is too long given the time-sensitive nature of carrier inspection and crash data, which is updated monthly.

FMCSA Response

FMCSA acknowledges that staffing challenges may make meeting RDR timelines difficult. As noted in the response to Question 1, States can use MCSAP funding for hiring, training, extra personnel hours, or other needed resources to help address these challenges. In addition, the Agency is committed to working with States on their DataQs Implementation Plans to find State-specific solutions for the new program requirements.

Regarding the additional factors for consideration, FMCSA understands the importance of similar timeliness standards for Federal RDRs and is currently evaluating similar timeliness standards for Federal inspection-related RDRs. The timelines are based on calendar days, rather than business days. Calendar days are simple to track and uniform nationwide, unlike business

days which may vary by State and Federal agency. The Agency believes that the calendar-day based timelines build in sufficient time for staff to address requests during working hours.

In response to Greyhound, FMCSA will monitor States to ensure they are meeting required deadlines. The Agency will use the annual MCSAP reviews to assess States' compliance with the DataQs requirements, including deadlines (see Question 3 below). FMCSA recognizes TCA's point that the timeliness of RDRs is important to motor carriers. Currently, some States complete reviews in less than 21 days, while others take longer. The goal of these new requirements is to set a fair expectation for all States. The Agency will revisit RDR timelines after gathering data during implementation.

2A. FMCSA proposes that the time an RDR spends with the requestor when the State asks for additional information will not impact the timeline for the State's review. The clock will stop while the requestor gathers additional information and will restart if the requestor responds. Is this approach reasonable?

Six commenters (CHP, CVSA, KHP, Knight-Swift Transportation, NJDOT, and OOIDA) agreed that pausing the clock while the requestor gathers additional information is reasonable. OOIDA suggested that FMCSA clarify that the clock will "resume" rather than "restart," meaning that the clock will continue from where it stopped rather than go back to day one of the RDR. Tim Watson suggested that DataQs include a mechanism for the requestor to indicate if they do not have any additional information, which would prevent the State from waiting for the entire 14-day period to close the RDR. ATA deferred to State law enforcement and CVSA for insights on questions 2a-c.

FMCSA Response

FMCSA concurs that stopping the clock while the requestor gathers additional information is a reasonable approach. The Agency also clarifies that the clock will resume (not restart back at day one of the review) once the requestor responds. This approach will give the requestor a fair chance to provide additional information without impacting the timeline. States

should only be requesting information necessary to make the decision. To address Mr. Watson's comment, FMCSA plans to release improvements to the DataQs system later this year to support the new RDR process and promote transparency, such as adding new notification options for the requestor and reviewers.

2B. When the State requests additional information from other State/local enforcement entities, how should FMCSA account for the time when the RDR needs input from State or Federal personnel outside the MCSAP Lead Agency?

Three commenters (CHP, CVSA, and KHP) recommend that FMCSA take the "same stop the clock" approach when waiting for information from an external agency as when the State is waiting for additional information from the requestor, as the conditions are similar. CVSA added that if a State consistently stops the clock because of delays from external agencies, FMCSA can work with that State to address the challenge. CHP and KHP also suggested that the DataQs system include indicators for local agency review to increase transparency. NJDOT noted that the clock should only stop for the lead agency, with a set time allocated for input from State or Federal personnel. OOIDA stated that while some cases may require additional time, State and local enforcement agencies should complete the request for more information within 21-day or 30-day response periods to ensure reviews are finished within the proposed timeliness thresholds.

FMCSA Response

MCSAP Lead Agencies are responsible for adjudicating RDRs through the review process in a timely manner. Therefore, the clock will keep running when the Lead Agency requests additional information from external State and local enforcement entities. However, FMCSA acknowledges that some RDRs may be complex and as a result, may require additional time. FMCSA will work with Lead Agencies to address these RDRs on an individual basis. These exceptions are not expected to greatly impact a State's overall timeliness.

2C. FMCSA acknowledges that meeting the timeline standard for every RDR may not be achievable. How should delays by either the State or the requestor in the RDR process be handled? What are some examples of extenuating circumstances that would delay the review of an RDR?

Handling Delays

Seven commenters (CHP, Greyhound, KHP, Knight-Swift Transportation, OOIDA, Nadir Ali, and Tim Watson) offered different views on how to address delays. CHP and Tim Watson supported managing delays on individual RDRs through clear, transparent status updates. KHP, Greyhound, and Tim Watson noted that if an RDR is delayed for an extended period of time, a decision should be made, and action should be taken. Greyhound proposed granting the request if the delay is on the State and denying it if it is on the requestor. OOIDA and Nadir Ali supported extending timelines for legitimate delays; OOIDA expects this to apply only to a small number of cases. Knight-Swift Transportation and Tim Watson recommended tracking and documenting RDR timeliness. CVSA and Tim Watson urged that FMCSA work directly with agencies facing persistent delays on RDRs. CVSA added that delays outside the MCSAP lead agency should not impact RDR timelines.

Extenuating Circumstances

Commenters listed a variety of extenuating circumstances that could be considered legitimate reasons for RDR delays. Examples included health and personal issues of the reviewer or requestor (KHP, CVSA, OOIDA, and Tim Watson); response time or limited availability of outside resources (CHP, CVSA, and Nadir Ali); technical issues and system outages (CVSA, Knight-Swift Transportation, and Tim Watson); complex RDRs requiring additional research (CVSA and OOIDA); natural disasters or State emergencies (Greyhound and Tim Watson); government shutdowns (Greyhound); and legal holds (Knight-Swift Transportation).

Other Considerations

CHP and CVSA expressed concern related to the time and scheduling requirements for the Final Review. CHP indicated that convening a panel on an almost daily basis for the Final Review would be challenging and difficult to coordinate. CVSA echoed this concern, noting that the current 30-day timeframe is not sufficient given the need to align multiple reviewer schedules; they recommended a 45-day timeline for the Final Review to allow adequate time for scheduling and coordination among panel members.

CVSA also noted that RDRs related to adjudicated citations should be closed pending court decisions. Once a ruling is made, the RDR could be reopened to avoid unnecessary delays.

FMCSA Response

FMCSA agrees that RDR outcomes should not be delayed indefinitely and emphasizes the importance of open, regular communication when extenuating circumstances arise. However, automatic action based solely on delays is not consistent with the intent of DataQs and FMCSA's Data Quality program. Decisions must be based on the validity of the claim. To help States monitor their RDRs, FMCSA plans to develop State performance measures and publish timeline reports on the DataQs website once sufficient data is collected. These measures will also be published on the DataQs website.

Regarding Final Review panels, FMCSA acknowledges that convening the panels may present scheduling challenges, but affirms their value for comprehensive, independent reviews. However, FMCSA agrees with CHP and CVSA's recommendation to extend the Final Review timeline to 45 days to account for scheduling. For adjudicated citations, FMCSA confirms that requests can be held while pending with the relevant jurisdiction for adjudication and should only proceed once resolved through a state or local court/administrative proceeding, but should not remain open indefinitely.

Question 3: The proposal outlined in Section IV of the July 1, 2025 Federal Register notice revises MCSAP Grant requirements and would impact funding distributed by FMCSA.

How should States be held accountable for compliance?

Linking Compliance to MCSAP Funding

Four commenters (ATA, Greyhound, Knight-Swift Transportation, and OOIDA) supported linking the requirements to MCSAP Funding. Greyhound and OOIDA believe that FMCSA should withhold MCSAP funding if States do not comply with requirements. ATA supports linking compliance to MCSAP grant funding with thresholds that are clear and proportionate to State size and volume, and that take potential challenges into consideration. Greyhound recommends monitoring compliance through the MCSAP review process and providing a mechanism for others to file complaints against non-compliant States. Two commenters (TCA and Tim Watson) voiced concern that withholding funding could cause more delays instead of improving timeliness.

State Performance Measures

Three commenters (ATA, TCA, and Tim Watson) recommended that FMCSA publish performance measures on State compliance with the requirements to increase accountability and set expectations on RDR timelines and incentivize States to improve their timeliness. ATA recommended publishing State compliance rates, backlog data, and best practices. TCA suggested State-level results showing the percentage of RDRs completed and average review times. Tim Watson proposed that FMCSA use data analysis to identify delays and bottlenecks and address performance issues.

Technical Support

Four commenters (CVSA, KHP, Knight-Swift Transportation, and Tim Watson) suggested that FMCSA provide technical support to help States comply with the revised DataQs requirements. Knight-Swift Transportation noted that the Agency should offer technical support or phased implementation for States with limited resources. While CVSA recommended that the Agency work directly with States to identify challenges and resolve delays, Tim Watson suggested that the Agency equip States with monitoring data so they can address their own performance issues. KHP suggested sending notifications to non-compliant States.

Measuring Timeliness

Two commenters (CHP and CVSA) believe that timeliness requirements should not be based on individual RDRs. CHP recommended FMCSA use percentage-based criteria, similar to what is used for crashes and inspections; CVSA suggested the Agency focus on average response times.

FMCSA Response

FMCSA is committed to working with States to ensure they can comply with the new DataQs requirements for MCSAP funding. FMCSA will help States develop their implementation plans, including processes designed to meet the revised requirements, and the Agency will provide technical support through the Data Quality Program. However, improving the timeliness of RDR resolutions is a primary objective of this revised process. FMCSA will monitor State adherence to these new timeliness standards and unwarranted delays will be addressed through the MCSAP evaluation and approval process to ensure accountability. To support this ongoing monitoring, FMCSA plans to implement performance measures on State performance once enough data is collected to be meaningful and results will be published for States and the public. As CHP commented above, the measures will be percentage-based using a methodology similar to the State Safety Data Quality timeliness measures used for inspection and crash data.

Ultimately, the timeliness performance measures will become a regular part of annual MCSAP reviews. MCSAP lead agencies will be required to include timeliness performance measures in their annual Commercial Vehicle Safety Plans, which will be evaluated by FMCSA.

Question 4. If the State does not receive information from the requestor when additional information is requested, or the additional information the requestor provides is inadequate, how should the RDR be handled? Should the State reserve the right to proceed with the review and come to a decision? Should the previous round of review get another chance to reconsider their previous decision when new information is provided?

Closing/Proceeding with RDR, No Requestor Response

Six commenters (ATA, CHP, CVSA, KHP, NJDOT, and Tim Watson) stated that RDRs should be closed without changes if the requestor fails to provide the requested information. CVSA recommended shorter response windows (close the RDR after 7 days instead of 14 days) and KHP recommended allowing for resubmission if the requestor is able to produce the information at a later date. CHP and KHP emphasized that the burden of proof lies with the requestor.

Nine commenters (ATA, CHP, CVSA, Greyhound, Knight-Swift Transportation, OOIDA, NJDOT, TCA, and Tim Watson) noted that States should be able to proceed with reviews and issue decisions based on existing information if the requestor is unresponsive, while allowing for reconsideration if new evidence appears.

Importance of Communication

Five commenters (ATA, CHP, OOIDA, TCA, and Tim Watson) emphasized the need for clear communication, including notifications, reminders, and one chance to correct insufficient submissions before closing the RDR; TCA asked FMCSA to define what counts as “adequate” information to help ensure consistency across States.

Reviewing New Information

Five commenters (CHP, CVSA, Greyhound, NJDOT, and Tim Watson) stated that new information should be reviewed at the initial stage rather than escalating to higher levels. CVSA stressed that later reviews must use the same information as the initial review for consistency. CHP cautioned that escalation could require more expertise and extend timelines. OOIDA and Greyhound supported letting the previous reviewer reconsider its decision if new information is provided within deadlines. NJDOT noted that States should decide if the new information is significant enough to warrant reconsideration, and it should not automatically trigger a review. Tim Watson questioned whether sending RDRs back to the Initial Reviewer would add unnecessary steps.

FMCSA Response

FMCSA appreciates the input on requesting and reviewing additional information in the RDR process. To keep the process simple while allowing for State discretion, requestors will have 14 days to submit additional documentation if requested by the State. A State may only request additional information that is relevant and material to the disposition of the review. If the requestor does not respond, the DataQs system will close the RDR with a status of “Closed – No Requestor Response.” However, if sufficient information was provided with the initial RDR, States should complete the RDR without the requested additional information and update the RDR status in the system accordingly.

FMCSA agrees with CVSA that if a new RDR is submitted with new evidence, it may be returned to the Initial Reviewer before it is raised to another level of appeal. This will ensure greater consistency in reviews by giving all reviewers access to the same information to reach a decision.

Defining what counts as “adequate” documentation is difficult because the circumstances surrounding each RDR can vary widely. There is no one-size-fits-all definition that works across the various types of requests submitted. States are best suited to decide on a case-by-case basis if the documents received are sufficient for a given request.

Question 5: To what extent should FMCSA prescriptively define the criteria for a “valid reason” for the Reconsideration Review Process described in Section IV of the July 1, 2025 Federal Register notice versus leaving this determination to the States? If FMCSA were to define the process, what specific information should a submitter be required to provide to meet that standard?

Defining Criteria for a “Valid Reason”

Four commenters (ATA, Greyhound, Knight-Swift Transportation, and TCA) supported FMCSA setting clear criteria for what counts as a “valid reason” in the Reconsideration Review process. Greyhound supported prescriptive rules to create a “uniform standard and avoid any

abuse of the general term” while ATA agreed on clear and consistent standards with State discretion on applying them. Tim Watson recommended that FMCSA leverage the Motor Carrier Safety Advisory Committee (MCSAC) to establish criteria for a “valid reason,” noting that some criteria should be defined to avoid frivolous requests.

Three commenters (CHP, CVSA, and KHP) argued for more flexible guidelines. CHP noted that every RDR will be different and individual States should determine what counts as a “valid reason.” CVSA stated that a set list of reasons would be too restrictive, and OOIDA argued that there should not be a list and every RDR should be eligible for Reconsideration Review.

Seven commenters (ATA, CHP, Greyhound, Knight-Swift Transportation, NJDOT, TCA, and Tom Watson) suggested that the submitter be required to provide specific reasons and supporting documentation for the Reconsideration Review. NJDOT suggested that submitters complete a standardized form capturing the new information, its relevance and impact on the Initial Review decision, and documentation from previous reviews. Tim Watson added that the submitter should explain why the Initial Review’s closure explanation is incorrect. Greyhound and Knight-Swift Transportation recommended citing reasons such as failure to properly consider critical evidence, decisions not logically supported by evidence, new evidence available, and procedural errors. ATA, CHP, and TCA asked that submitters provide factual documentation (ATA), verifiable documents (e.g., DocuSign) (CHP), and video footage (TCA).

FMCSA Response

FMCSA acknowledges commenters’ input on how to define valid reasons and supporting documentation for appealing requests for Reconsideration or Final Review. At the outset, it would be premature and potentially restrictive to attempt to capture all the potential reasons why requests are elevated. FMCSA sets basic parameters for requesting Reconsideration and Final Review below. In addition, FMCSA acknowledges that there must be a basis for any appeal, and will require the requestor to state the factual or legal error the requestor believes forms the basis

for Reconsideration or Final Review when submitting its corresponding appeal request. FMCSA will continue to implement refinements to the DataQs program based on feedback received from commenters and other stakeholders.

III. Revised DataQs Requirements for MCSAP Grant Funding

In consideration of the feedback received through the public comments on the July 1, 2025 Federal Register notice, FMCSA is announcing the following Revised DataQs Requirements for MCSAP Funding.

General Requirements

- States must establish points of contact for crash and inspection RDRs.
- States must accept and conduct a good faith review of all inspection-related RDRs that are submitted within 3 years from the date of inspection and, for all crash-related RDRs, for 5 years from the date of a crash.
- States must follow FMCSA’s policy related to Adjudicated Citations.¹
- States must participate in FMCSA program reviews of their DataQs processes and procedures, as required for current existing MCSAP programs.
- Each RDR closed, including at the various levels of appeal (Reconsideration and Final Review), with the status “Closed—No Data Correction Made” must adequately explain the facts and analysis supporting the decision. Responses must contain the following information:
 - Description of or link to the State’s approved DataQs Implementation Plan;
 - Decision-maker (name and title);
 - List of evidence reviewed;

¹ More information on the Adjudicated Citations Policy is available at: <https://www.federalregister.gov/documents/2014/06/05/2014-13022/motor-carrier-management-information-system-mcmis-changes-to-improve-uniformity-in-the-treatment-of>.

- Decision;
 - Specific reason(s) for decision; and
 - Next steps/directions for more information including on how to appeal the decision (RDR Reconsideration process) if prior to Final Review decision.
- Procedural closures, such as “Closed—No Requestor Response” or “Closed—Insufficient Information,” do not constitute a substantive decision on the merits and are exempt from this detailed reporting requirement. Requests that are “Closed—Insufficient Information” must contain the reason for the State’s action and directions to the requestor to submit the required information.
 - States may consult with their legal advisors during the RDR adjudication process. States may consult with FMCSA during a review, but FMCSA will not resolve factual or legal disputes, and may only provide assistance with interpretation of the Federal Motor Carrier Safety Regulations, Hazardous Materials Regulations, or related policy.

Multi-Stage Review Process

States are required to incorporate a multi-stage review process for RDRs. The process for reviewing RDRs must include three stages of independent review: Initial Review, Reconsideration, and Final Review. Review of the RDR escalates from the DataQs analyst in the State MCSAP Lead Agency to a responsible decision-maker or panel of subject matter experts.

- Stage 1: Initial Review
 - The issuing officer or inspector cannot be the sole decision-maker when the outcome of the RDR is “Closed—No Data Correction Made.”
- Stage 2: Reconsideration
 - The RDR Reconsideration must be reviewed and decided by a person or panel with appropriate subject matter expertise within the MCSAP Lead Agency.

- The Reconsideration reviewer(s) must be separate and independent from the person(s) who decided on the Initial Review.
- The RDR Reconsideration must not be reviewed or decided by the issuing officer or inspector, nor an immediate supervisor of the issuing officer or inspector.
- The Reconsideration reviewer(s) may request additional information from the requestor, provided it is relevant and material to the appeal. If the requestor provides the specifically requested information, the RDR remains in Reconsideration. However, if the requestor introduces entirely new, unrequested, and relevant information or evidence that was not evaluated during the Initial Review, the Reconsideration reviewer will not decide the appeal based on the new evidence. Instead, the RDR will be routed back to the Initial Review process to ensure a complete evaluation of the record.
- Stage 3: Final Review Process Requirements
 - The Final Review must be escalated for review by a responsible decision-maker identified by the State (e.g., Senior Leader in the MCSAP Office) or an alternative process that ensures an independent and unbiased review and decision. The review may be delegated to a panel or outside party that provides a recommendation to the decision-maker. However, the person(s) or panel reviewing or deciding the Final Review must not be anyone involved in the review or decision of the Initial RDR decision or RDR Reconsideration decision.
 - The Final Review decision-maker or panel may request additional information relevant and material to the appeal. If the requested information is provided, the RDR remains in a Final Review. If entirely new, unrequested, and relevant evidence is introduced by the requestor at this stage, the request must be routed back to the Initial Review process.

- The State's decision will be considered final by FMCSA after the Final Review is completed. Any future or related requests concerning the RDR will be heard at the discretion of the State.

Timeliness of the Request Process

- States must open an RDR within seven days of submission of an Initial Review request.
- States must reach a decision on an RDR in Initial Review and communicate it to the requestor within 21 days of submission.
- States must reach a decision on any Reconsideration Review and communicate it to the requestor within 21 days of the request for Reconsideration Review.
- States must reach a decision on any Final Review and communicate it to the requestor within 45 days of the request for Final Review.
- To ensure the timely resolution of disputes, requestors must submit any request for a Reconsideration or Final Review within 30 days of the State issuing the decision in the previous stage.
- If a State returns a request at any stage for additional information, the State's timeline to reach a decision is paused. The 14 days allotted for the requestor to respond do not count toward the State's 21-day or 45-day review deadlines.

For all stages of review, if the State requests additional information from the requestor, the requestor has 14 days to provide the information. A State may only request additional information that is relevant and material to the disposition of the review. These 14 days do not count towards the timeline for the State's review. If the requestor does not respond, the State will close the request with the status "Closed—No Requestor Response" unless a decision can be made with the information already on the record. If a request is reopened because the requestor provides the previously requested information, it will not be escalated; instead, it will be reviewed at the level it was closed, and the State will have the full allotted time for that

specific stage (21 days for Initial or Reconsideration Reviews and 45 days for Final Reviews) to complete this review. However, if entirely new information or evidence (beyond what was requested) that is relevant to the RDR is provided to the State, the RDR will be routed back to the Initial Review process. States' timeliness for responding to RDRs will be assessed based on the percentage of requests at each review level that are addressed in the respective timelines.

Submission of Implementation Plans

State MCSAP Lead Agencies must submit a DataQs Implementation Plan on how the agency will meet the objectives and elements of the General Requirements, Multi-Stage Review Process, and Timeliness of Request Process sections above. In addition, the plan must outline how the agency will address any existing backlog of RDRs and what steps they will take to prevent a potential backlog moving forward.

States must submit a DataQs Implementation Plan for approval by FMCSA's Data Quality Program. Updates to the plan in subsequent years will be submitted as part of the annual Commercial Vehicle Safety Plan (CVSP) process. See Next Steps below for the timetable. If changes do not meet FMCSA's requirements, FMCSA will notify the State, and the previous version of the plan will remain in effect until the State obtains FMCSA approval of any changes. Approved plans will be made available to the public through DataQs (<https://dataqs.fmcsa.dot.gov/>).

Burden of Proof Applicable to Initial RDRs, RDR Reconsideration Requests, and Final Review Requests

- The burden of proof for all requests within DataQs (Initial RDRs, Reconsideration Requests, and Final Review Requests) rests entirely with the requestor. RDRs to remove or modify information will be rejected without factual or legal justification explaining why the information is incorrect or incomplete, along with the necessary supporting documentation supporting the request when necessary.

- If an initial RDR or appeal is submitted without minimal factual or legal justification, it is considered fundamentally unsubstantiated. States have the discretion to procedurally reject these requests (e.g., “Closed—Insufficient Information”) without conducting a full substantive review. Alternatively, the State may return the RDR and ask for the missing information.
- If the State returns an RDR for relevant and material information, the requestor has 14 days to provide it. If the requestor fails to respond within the 14-day timeframe, the request will be closed with the status “Closed—No Requestor Response.” However, if the existing record contains enough information for the State to adjudicate the claim despite the missing information, the State must issue a substantive decision on the merits (e.g., “Closed—No Data Correction Made”).
- If an RDR is closed due to a lack of response, even if the State issued a substantive decision on the merits based on the existing record, the request will be reopened if the requestor subsequently provides the information that was previously requested.
 - The reopened request will not be escalated to the next stage of appeal.
 - It will be reviewed again at the level it was closed, and the State will be granted the full time allotted for that specific stage (21 days for Initial or Reconsideration Reviews, and 45 days for Final Reviews) to complete this renewed review.
- The appellate stages (Reconsideration and Final Review) are meant to review the previous decision based on the existing record. If a requestor introduces entirely new, unrequested, and relevant information or evidence at any point (whether trying to reopen a closed case or during an appeal) that was not evaluated during the prior stage, the RDR will be routed back to the Initial Review process to ensure a complete evaluation of the record.

- The appellate stages (Reconsideration and Final Review) are primarily meant to review the previous decision based on the existing record. However, appellate State reviewers retain the authority to request additional information from the requestor, provided it is relevant and material to the disposition of the review. If the requestor provides the specifically requested information, the review remains at the current appellate level. Conversely, if a requestor introduces entirely new, unrequested and relevant information or evidence during an appeal that was not requested by the reviewer and was not evaluated during the prior stage, the RDR will be routed back to the Initial Review process.
- For RDR Reconsideration Requests and Final Review Requests, requestors must specifically address the State’s previous factual or legal basis for the decision and explain why they believe that decision was incorrect. If an appeal is submitted that fails to provide this substantive justification (e.g., merely stating disagreement without addressing the prior analysis), the State has the authority to summarily reject the request without further review.

IV. Next Steps

FMCSA thanks industry, State Partners, and the public for providing feedback to continually improve the DataQs program. This input is essential to FMCSA’s efforts to elevate data quality standards, which strive to improve roadway safety and instill greater confidence in fair and understandable processes. FMCSA is dedicated to ensuring States have support and collaboration in developing their DataQs implementation plans. FMCSA will communicate with States on what is expected to meet the revised requirements via correspondence to MCSAP agencies and will conduct training and outreach in advance of implementation. FMCSA proposes the following implementation schedule.

- **April-May 2026:** FMCSA begins training and outreach on the new requirements for DataQs. Training will include templates and guidance for creating and submitting DataQs Implementation Plans, webinars, and office hours.
- **60 days after FRN publication:** States submit draft DataQs Implementation Plans to FMCSA for review and approval.
- **120 days after FRN publication:** States finalize their DataQs Implementation Plans, based on feedback from FMCSA. FMCSA completes the implementation plan for relevant RDRs.
- **150 days after FRN publication:** DataQs system release to support the revised requirements. State implementation plans and new DataQs MCSAP requirements go into effect.

Implementing these revised requirements is a joint effort between FMCSA, State Partners, and industry to enhance data quality and support better safety outcomes. By working together, we can improve the effectiveness of the DataQs process and contribute to a safer transportation system.

Derek Barrs,

Administrator.

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