DataQs State Implementation Plan

Colorado

For Compliance with Federal Motor Carrier Safety Administration (FMCSA) Revised Motor Carrier Safety Assistance Program (MCSAP) Grant Requirements

Date: September 2026

Purpose

In April 2026, FMCSA announced updated requirements for State participation in the DataQs system as a condition of receiving MCSAP grant funding. To comply with those requirements, each State must submit a DataQs State Implementation Plan. The following pages contain the key elements of the plan approved by FMCSA for Colorado.

DataQs State Implementation Plan

State: Colorado

MCSAP Lead Agency: Colorado State Patrol

Initial Review Process

Roles and Responsibilities

- Persons responsible for managing DataQs for the organization
    - ***Responsible Party:***
      DataQ and Civil Penalty Administrator
    - ***Supervisor(s):***
      Sergeant
    - ***Backups:***
      Sergeant
    - ***Interactions:***
      Only agency other than FMCSA that reviews DataQs in Colorado
- Person(s) responsible for decision-making for the Initial Review process
    - ***Responsible Party:***
      DataQ and Civil Penalty Administrator
    - ***Supervisor(s):***
      Sergeant
    - ***Backups:***
      Sergeant
    - ***Interactions:***
      INSPECTIONS: CSP is MCSAP Lead Agency, it has MOU Agencies, Requests for MOU Agencies are reviewed by CSP- request BWC footage through the MOU Agency record request process- has taken as long as three weeks to obtain from MOU agencies.
      CRASHES: CSP is ONLY direct Agency for FMCSA Crash Reports, Requests for other agency's crash reports from state repository uploaded to FMCSA involve request for BWC Footage/other evidence through the appropriate Record Request Process for given agency- has taken as long as three weeks to obtain from MOU agencies.
- Person(s) consulted for additional information or evidence
    - ***Responsible Party:***

Inspection Incorrect Violation/Information/Carrier/Driver Crash Wrong/Carrier/Driver & Not Reportable- May request original Officer and/or their direct supervisor for any evidence not provided in SafeSpect and/or Digital Evidence System, and their supervisor for additional evidence, as well as their justification on why the information should not be changed.

May consult with Subject Matter Experts from across the state, other states, CVSA, CMCA, FMCSA, or PHMSA for more information, eg Port of Entry Officer's for Size/Weight Violations, Local Troopers for Moving Violations, Local Agency Officers for Municipal Code Violations, Colorado Department of Transportation for OS/OW violations, Colorado Department of Revenue for Registration/IFTA/IRP Violations, Hazardous Material Instructors from other states, PHMSA for copies of DOT-SPs or interpretation letters, etc.

Inspection Violation with Adjudicated Citation: Colorado State Courts -Data Access System-excludes municipal courts and Denver County, Court Clerks if questions arise from the information contained in the Court System. If citation is adjudicated in Municipal Court or with Denver County, will contact court clerks prior to entering of adjudication information.

- ***Supervisor(s):***
  N/A
- ***Backups:***
  N/A
- ***Interactions:***
  N/A

Process Description

- Receipt of RDR
  - ***Responsible Party:***
    DataQ and Civil Penalties Administrator
  - ***Process:***
    Step 1: Open the request
    Select the request in the DataQs System
    The request is automatically changed by the system to Open- In Review. This has been confirmed by companies to show on the requestor's side of DataQs and is not only visible to the states/FMCSA.
- Review of RDR
  - ***Responsible Party:***

DataQs and Civil Penalties Administrator

- ***Process:***

All Types:

Inspection- Citation with Associated Violation

Step 1: Confirm association between citation and violation.

Pull up inspection in SafeSpect, then evaluate the request and inspection for request accuracy.

For each violation in the request:

Determine if violation is associated with a citation. If all violations ARE associated with a citation proceed to Step 2:

If only some of the violations are associated with a citation. The ones not associated with a citation will be closed with a status of Closed- No Data Correction Made. Response Template 'Violation Not Associated with Citation' should be used:

"This violation/These violations (list violation/s) are not associated with a citation and therefore cannot be amended with adjudication information from the court. You may file a separate Request for Data Review under the Request type Inspection- Incorrect Violation through the DataQs system. That request will require evidence that the violation was factually incorrect at the time of the inspection and does not guarantee removal of the violation. "

For any violation that is associated with a citation proceed to Step 2.

If no violations in the request are associated with a citation, and if text in request matches another Request Type, change Request Type to appropriate Request Type, then follow procedures for appropriate Request Type.

Step 2: Determine presence of required documentation from the Requestor. Minimum required documentation required from the requestor is on the table below:

If present proceed to Step 3, otherwise, change status to Pending Requestor Response, Response Template 'Court Documentation Required':

"Your request does not contain the minimum documentation required by Colorado to amend the violation with the court decision, please attach a copy of the disposition from the court."

Step 3: Ensure the Disposition belongs to the citation listed on the inspection.

Usable information is Citation #, date of issuance of the citation, location, county/city, driver's name, DOB, charges.
If not correct disposition, change status to Pending Requestor Response, template 'Wrong Disposition':
"The disposition provided is not the correct disposition/case # for the citation being requested for review. Please provide correct disposition

Step 4: Evaluate equivalency of the citation and the inspection.
Ensure there is a one charge to one or more violations ratio between the citation and inspection.
If charges present on the citation are NOT present on the inspection, add the additional charges not present on the inspection as violations, using the appropriate violation code for the charge.

Step 5: Confirm correct disposition for Citation, two processes depending on court type:
Step 5a: If State Court other than Denver:
Log into the Colorado State Courts - Data Access website.
If the case is closed then determine the outcome of the case based on the tables contained in the DataQ Analyst Guide.
If case not yet closed, change request status to Closed- No Data Correction Made with Template 'Case Not Yet Closed':
"This case has not yet been closed with the courts. The case may be in deferment or other administrative issues may have arisen. Please contact the courts and reopen for reevaluation when the case has been formally closed with the courts."
Otherwise, proceed to Step 6.
Step 5b: All other courts:
Contact the court using a phone number independent of the information provided by the requestor. Provide case # or other required information to determine the correct disposition of the case.
If the case is closed then determine the outcome of the case based on the tables contained in the DataQ Analyst Guide.
If case not yet closed, change request status to Closed- No Data Correction Made with Template 'Case Not Yet Closed':
"The case has not yet been closed with the courts. The case may be in deferment or other administrative issues may have arisen. Please contact the courts and reopen for reevaluation when the case has been formally

closed with the courts."
Otherwise, proceed to Step 6.
Step 6: Record correct outcome information for all violations that are associated with a citation.
Enter the Outcome information into SafeSpect for EACH violation that has an associated citation:

Proceed to Step 7.
Step 7: Close the Request
Change the request status to Closed -Citation Results Entered with the Template Response 'Citation Results Entered':
"Your request has been reviewed, and it was determined the citation associated with violation(s) recorded on an inspection report that was submitted to an FMCSA data system has been adjudicated. The appended record showing the result of the adjudicated citation has been made in our State's SafeSpect database and will be uploaded to FMCSA data systems. The list of appended violations and the results are below:
(List Violations and Results)
For more details regarding the impact of the appended records, read the "What is the impact of the appended citation result?" FAQ in the Help Center at https://dataqs.fmcsa.dot.gov/HelpCenter/Faqs?topic_id=1. The FMCSA SMS results and the PSP reports are updated monthly; these results are posted to the SMS and PSP websites approximately 2 weeks after the snapshot date. For more details, visit the SMS Information Center at https://ai.fmcsa.dot.gov/SMS/HelpCenter/Index.aspx#faq30897."

Inspection/Crash Assigned to Wrong Driver
Step 1: Confirm Type of Request
Read the request description and determine if the request is of the correct type. If it is not, change request type to appropriate Request Type, then follow procedures for appropriate Request Type.
Step 2: Confirm minimum documentation is provided.
The minimum required documentation for this type of DataQ is a copy of the driver's license for the driver listed/not listed on the report.
If minimum required documentation is not provided in the request, change request status to 'Pending requestor response' with template "Minimum

Documentation”
“Requestor has not provided any documentation, please attach documentation, minimum required documentation is a copy of the driver’s license. It is recommended to provide all additional documentation you may have supporting your request.”
Step 3: Determine alleged error or change request
The requestor can either allege that the driver information contains only a clerical error such as a typo, or They can allege that the driver listed was not the driver at the time of the inspection. Proceed to Step 4.
Step 4: Determine which information is incorrect, if any
Compare the provided driver’s license provided, to the information contained on the report, this may also require confirming the driver’s license information through CDLIS for clarification. Determine what fields of the license information need to be changed if a change is made.
If information alleged to be incorrect is correct, close the request with Status No Data Correction Made, and the template response, ‘Driver Information Correct’
“Upon review of the information on the license provided and the inspection/crash report, it was determined that all information matches. No correction is necessary for this report.”
If the carrier is alleging that the report contains only information for a driver not present at the time of inspection proceed to Step 5, else proceed to Step 6.
Step 5: Confirm which person was operating the vehicle during the contact
Compare photo on license provided to driver(s) present during inspection/investigation as seen in the Body Worn Camera Footage. May also run either license(s) on report or from request through NLETS to obtain that license photo in higher quality to compare to driver/s present during inspection/investigation as seen in the Body Worn Camera Footage. If Body Worn Camera footage is not available then proceed to request further evidence that the driver they are stating were operating the vehicle at the time of contact as if it was not a typo on the officer’s part ie a numeral misplace as CDLIS is normally the origin of the data for the driver, then the driver’s license information is what was handed to the officer. Set status to pending requestor response with Template ‘Additional Evidence of Driver Presence’
“Please provide additional evidence that the driver you are stating was operating the vehicle at the time of the inspection was present during the

contact. This can be ELD records, internal camera footage, route agreements, etc.”

It can then be reviewed instead of the Body Worn Camera Footage.

If new license does not match who was operating the vehicle at time of contact, and all license information for that driver is correct, close the request with Status ‘No Data Correction Made,’ and the template response, ‘Inspection/Crash assigned to Correct Driver’

“Upon review of the Body Worn Camera Footage and comparing the driver present during the inspection to the license photo’s contained in the request and attached to the license photo from the license on the Report, it was determined that the Report does list the correct driver. No changes were made to the report.”

If new license does not match who was operating the vehicle at time of contact, and some of the license information for that driver is incorrect, proceed to Step 6.

Step 6: Update information if necessary

Update the appropriate fields in SafeSpect with the correct information.

Step 7:

If the requestor was alleging that the driver information contains only a clerical error such as a typo, Close the Request with Correction Made, and Response template, ‘Driver information corrected.’

“When comparing the license to the report it was determined that (insert what information was incorrect in regards to the license) was incorrect on the report and has been updated in the State of Colorado’s SafeSpect Database and will be uploaded to FMCSA data systems.

The FMCSA SMS results and the PSP reports are updated monthly; these results are posted to the SMS and PSP websites approximately 2 weeks after the snapshot date. For more details, visit the SMS Information Center at https://ai.fmcsa.dot.gov/SMS/HelpCenter/Index.aspx#faq30897.”

If the requestor was alleging that the driver listed on the report was not the driver actually present with the vehicle, Close the Request with Correction Made, and Response template, “Correct Driver- Typos Found”

“Upon review of the Body Worn Camera Footage and comparing the driver present during the contact to the license photo’s contained in the request and attached to the license photo from the license on the inspection Report, it was determined that the Inspection does list the correct driver.

However, it was discovered that (insert what information was incorrect in regards to the license) was incorrect and has been updated in the State of Colorado's SafeSpect Database and will be uploaded to FMCSA data systems.
The FMCSA SMS results and the PSP reports are updated monthly; these results are posted to the SMS and PSP websites approximately 2 weeks after the snapshot date. For more details, visit the SMS Information Center at https://ai.fmcsa.dot.gov/SMS/HelpCenter/Index.aspx#faq30897."

Inspection/Crash Missing Record
Step 1: Confirm Type of Request
Read the request description and determine if the request is of the correct type. If it is not, change request type to appropriate Request Type, then follow procedures for appropriate Request Type.
Step 2: Ensure Requestor is not requesting a more frequent SMS update
If Requestor is stating that the report has not been added to their SMS Profile and the report data would not have been included in the latest SMS update close the request with No Correction Made 'SMS Profile'
"This Report occurred after the latest SMS update and thus would not be included in that dataset. Please wait until after the next SMS update to file a missing record report. The FMCSA SMS results and the PSP reports are updated monthly; these results are posted to the SMS and PSP websites approximately 2 weeks after the snapshot date. For more details, visit the SMS Information Center at https://ai.fmcsa.dot.gov/SMS/HelpCenter/Index.aspx#faq30897."
The next snapshot is stated to be taken on mm/dd/yyyy with the release <i>the week</i> of mm/dd/yyyy."
Step 3: Ensure requestor's information is actually missing from State Systems
For inspections, lookup the Report # provided in the request in SafeSpect-DataQ Analyst. Additionally, double check MCMIS to determine if FMCSA's SafeSpect had an error transferring. If the report is found in both MCMIS and SafeSpect close the Request with No Correction Made "Report Already Entered"
For crashes utilize MCMIS or SMS to attempt to locate a crash report in Colorado for the carrier at the date provided. If the report is found close the

Request with No Correction Made "Report Already Entered"
"Your request was reviewed and it was determined that the report is not missing and thus does not need uploaded. Report was able to be seen in (list systems)."

If the report is found only in SafeSpect and not in MCMIS, contact FMCSA Tech Support at FMCTechSup@dot.gov to determine next course of action. This Request has never been handled by FMCSA Tech Support in a time period of less than three weeks. Place Request in status "Pending Local Agency Comments" with template "FMCSA Tech Support"
"There appears to be an issue with FMCSA Data Systems. Colorado has reached out to FMCSA tech support to determine the next course of action. This process may take longer than three weeks due to the necessary FMCSA Tech Support Response."
Step 3: Ensure minimum required information
For each variant of the Missing Record ensure the minimum evidence is present. For Missing Record Requests a full copy of the report (inspection would be a copy of the DVER and Crash would be copy of the DR3447 State of Colorado Traffic Crash Report [Colorado calls all crashes 'Traffic Crash' not 'accidents', so Police Accident Report is not the appropriate terminology]) in question is the minimum.
If the report is not provided, then place the request in the status "Pending Requestor Response" with Template 'Minimum Evidence-Missing Record'
"You are alleging that the report is missing, however no report copy has been provided. Please provide a copy of the report in question."
Step 4: Input the missing data into SafeSpect
If adding a carrier on an FMCSA crash report ensure that the report information is correct and confirmed to be accurate with the issuing agency prior to entering. This can usually occur through Body Worn Camera Footage Requests.
For an inspection report, reach out to the officer to have them upload if conducted offline otherwise reach out to FMCSA Tech Support at FMCTechSup@dot.gov to have them enter the report into the system backdated, FMCSA contact may take longer than 3 weeks.
Step 5: Close the Request
If information was entered close the request with correction made Template "Report Added" or for crashes adding a second involved CMV "Additional CMV Added".

"Your request was reviewed and it was determined the report was not uploaded. It has now been uploaded. The FMCSA SMS results and the PSP reports are updated monthly; these results are posted to the SMS and PSP websites approximately 2 weeks after the snapshot date. For more details, visit the SMS Information Center at https://ai.fmcsa.dot.gov/SMS/HelpCenter/Index.aspx#faq30897."

A new CMV has been added to the crash report in the Colorado SafeSpect System and uploaded to FMCSA Data systems. The FMCSA SMS results and the PSP reports are updated monthly; these results are posted to the SMS and PSP websites approximately 2 weeks after the snapshot date. For more details, visit the SMS Information Center at https://ai.fmcsa.dot.gov/SMS/HelpCenter/Index.aspx#faq30897."

Inspection/Crash Duplicate Record

Step 1: Confirm Type of Request

Read the request description and determine if the request is of the correct type. If it is not, change request type to appropriate Request Type, then follow procedures for appropriate Request Type.

Step 2: For inspections determine if second inspection is a reinspection

If the second inspection is a reinspection that occurred on the same day, Copy the CVSA Decal Numbers from the second report to the notes section of the first report. FMCSA does not permit re-inspections in SafeSpect compliant with CVSA Ops Policies; therefore the CVSA Decal must be recorded in the notes.

Proceed to Step 4 if reinspection otherwise proceed to Step 3.

Step 3: Confirm that report is duplicated

Use SafeSpect, MCMIS and/or SMS to determine if the reports listed in the description are duplicates of one another. If no duplication is found close the request with No Correction Made Template "Not Duplicate"

"All documentation has been reviewed, and the inspections were determined to be not duplicated. No changes will be made to either record."

Step 4:

For reinspections contact FMCSA Tech Support at FMCTechSup@dot.gov to have the second inspection deleted. Initially put the request in Pending Local Agency Request with response type FMCSA Tech Support.

“Awaiting confirmation of deletion of second inspection by FMCSA Tech Support, this process may take longer than three weeks.”

Once FMCSA confirms the deletion close the request with correction made, ‘Reinspection’
“The second inspection on this request was identified as a reinspection, in order to remain compliant with CVSA Ops Policy the information regarding reinspection was copied to the initial inspection. The second inspection was deleted from SafeSpect Data Systems by FMCSA.
The FMCSA SMS results and the PSP reports are updated monthly; these results are posted to the SMS and PSP websites approximately 2 weeks after the snapshot date. For more details, visit the SMS Information Center at https://ai.fmcsa.dot.gov/SMS/HelpCenter/Index.aspx#faq30897.”

For Duplicate Inspections, contact FMCSA Tech Support at FMCTechSup@dot.gov to have the second inspection deleted. Initially put the request in Pending Local Agency Request with response type FMCSA Tech Support.
“Awaiting confirmation of deletion of second inspection by FMCSA Tech Support, this process may take longer than three weeks.”

Once FMCSA confirms the deletion close the request with correction made, Inspection’
“The second inspection on this request was identified as a duplicate. It has been deleted from SafeSpect Data Systems by FMCSA.
The FMCSA SMS results and the PSP reports are updated monthly; these results are posted to the SMS and PSP websites approximately 2 weeks after the snapshot date. For more details, visit the SMS Information Center at https://ai.fmcsa.dot.gov/SMS/HelpCenter/Index.aspx#faq30897.”

For crashes reject the crash report in SafeSpect and then delete it. Close the request with Correction Made and the response ‘Crash deleted’.

“The duplicate crash has been deleted from Colorado’s SafeSpect Systems. The FMCSA SMS results and the PSP reports are updated monthly; these results are posted to the SMS and PSP websites approximately 2 weeks after the snapshot date. For more details, visit the SMS Information Center at https://ai.fmcsa.dot.gov/SMS/HelpCenter/Index.aspx#faq30897."

Crash- Not Reportable

Step 1: Confirm Type of Request

Read the request description and determine if the request is of the correct type. If it is not, change request type to appropriate Request Type, then follow procedures for appropriate Request Type.

Step 2: Determine if minimum evidence is present

Minimum evidence is a copy of the crash report, and photos of any and all vehicles on scene of the crash, if contesting a crash listed with any vehicle towed due to disabling damage. For Fatals and injury crashes, the crash report is the minimum required evidence.

If minimum evidence is not provided place in Pending Requestor Response with template, more evidence needed.

"You will need to provide additional evidence supporting your request. For all crashes you must provide a copy of the DR3447 obtained from the agency that issued the crash report.

{Only if towed} For crashes that list a vehicle towed due to disabling damage; photos of the vehicle that was found to be towed must be provided, as the crash report may not contain correct tow information. The vehicle towed for this report was Traffic Unit #X on the report."

Step 3: Determine if the crash is reportable under the definitions set by FMCSA

Review the evidence provided by the request, the DR3447 in DRIVES, and obtain the Body Worn Camera Footage of the investigation. Determine if the crash is reportable under the three criteria set by FMCSA:

Any vehicle towed due to disabling Damage,

Any injury Medically Transported

Any fatal

Step 4: Correct the report if necessary

Once the crash is determined to be reportable under any of the criteria ensure the report in SafeSpect only reflects the criteria the crash met. If no correction is necessary close the request with no correction made "Upon review of the information provided and (any additional information reviewed), it was determined that the crash was reportable and thus does not need to be updated. “

If correction was necessary close the request with correction made and the response template,

“Upon review of the information provided and (any additional information reviewed), it was determined that the crash was reportable but had additional reportability requirements changed:

(List changes made to the report in regards to reportablility)

This information was changed in Colorado SafeSpect System. The FMCSA SMS results and the PSP reports are updated monthly; these results are posted to the SMS and PSP websites approximately 2 weeks after the snapshot date. For more details, visit the SMS Information Center at https://ai.fmcsa.dot.gov/SMS/HelpCenter/Index.aspx#faq30897.”

If the report is not reportable at all Close the request with Correction Made and the response ‘Crash deleted’.

“Upon review of the evidence it was determined that the crash was not reportable and has been deleted from Colorado’s SafeSpect Systems.

The FMCSA SMS results and the PSP reports are updated monthly; these results are posted to the SMS and PSP websites approximately 2 weeks after the snapshot date. For more details, visit the SMS Information Center at https://ai.fmcsa.dot.gov/SMS/HelpCenter/Index.aspx#faq30897.”

Inspection/Crash Assigned to Wrong Carrier

Step 1: Confirm Type of Request

Read the request description and determine if the request is of the correct type. If it is not, change request type to appropriate Request Type, then follow procedures for appropriate Request Type.

Step 2: Review that evidence is attached.

If no evidence is attached to request, change the status to Pending Requestor Response and template No Evidence Attached.

“No evidence was attached to your request, please provide evidence with your request.”

Step 3: Determine if Requestor is alleging fraud:

If the carrier is alleging that the vehicle was operating under their USDOT Fraudulently, either set the request to pending Requestor Response or closed no correction made:

“It appears you are stating that the driver listed on the report utilized your carrier information fraudulently. Due to the overabundance in fraud in the commercial motor vehicle industry and to protect motor carriers, drivers and the inspection process, we need to properly investigate requests concerning the incorrect attribution of inspections thoroughly. In cases like this, Colorado requires the following from the requestor:

The requestor must be utilizing a Validated Motor Carrier Account inside the DataQs System. Please see the DataQs FAQ section on Why am I listed as an unvalidated motor carrier? You are not using a validated Motor Carrier Account, You appear to be a Motor Carrier Service Provider. The carrier will need to log into their Portal Account and access DataQs through the FMCSA Portal. Once the account has been validated they will need to open a new request. All further communication will need to be processed through the new request.

You will need to file an identity theft, fraud, or similar offense police report with a local law enforcement agency in the city where the motor carrier‘s principal place of business is located as shown on the carrier‘s latest MCS-150 form. The report must be made IN PERSON . The report must include that the carrier requested the person/s responsible be <i>prosecuted for the fraudulent use of the carrier‘s information; and must also submit a sworn statement on the police form. </i> You will then need to obtain a copy of the report and sworn statement, and upload it into the new Request for Data Review (DataQ) made on the validated motor carrier account.

File a fraud report with the US Department of Transportation‘s Office of the Inspector General Hotline at https:// https://www.oig.dot.gov/hotline. Once submitted take a screenshot of the confirmation page and upload it into the new Request for Data Review (DataQ) made on the validated motor carrier account.

Once the documents are received, they will be reviewed for completeness, and we will attempt to find the correct carrier for this inspection, if none is found the carrier assignment for the inspection may be changed to the driver or registered owner of the power unit.

We understand that this process can take some time, this request has been placed in the status of Closed-No Data Correction made, as the requestor is not using a validated motor carrier account.

Thank you for you understanding."
OR for an Unvalidated Motor Carrier Account:
"It appears you are stating that the driver listed on the report utilized your carrier information fraudulently. Due to the overabundance in fraud in the commercial motor vehicle industry and to protect motor carriers, drivers and the inspection process, we need to properly investigate requests concerning the incorrect attribution of inspections thoroughly. In cases like this, Colorado requires the following from the requestor:

The requestor must be utilizing a Validated Motor Carrier Account inside the DataQs System. Please see the DataQs FAQ section on Why am I listed as an unvalidated motor carrier? You are not using a validated Motor Carrier Account. The carrier will need to log into their Portal Account and access DataQs through the FMCSA Portal with an attached USDOT number utilizing their PIN.

You will need to file an identity theft, fraud, or similar offense police report with a local law enforcement agency in the city where the motor carrier's principal place of business is located as shown on the carrier's latest MCS-150 form. The report must be made IN PERSON . The report must include that the carrier requested the person/s responsible be <i>prosecuted for the fraudulent use of the carrier's information; and must also submit a sworn statement on the police form. </i> You will then need to obtain a copy of the report and sworn statement, and upload it into this Request for Data Review (DataQ).

File a fraud report with the US Department of Transportations Office of the Inspector General Hotline at https:// https://www.oig.dot.gov/hotline. Once submitted take a screenshot of the confirmation page and upload it into this Request for Data Review (DataQ).

Once the documents are received, they will be reviewed for completeness, and we will attempt to find the correct carrier for this inspection, if none is found the carrier assignment for the inspection may be changed to the driver or registered owner of the power unit.

We understand that this process can take some time, this request has been placed in the status of Pending Requestor Response, the DataQs system may auto-close the request after 14 days, that is an automatic system outside of state control. You may reopen the request with the documents at anytime up to three years from the date of inspection.

Thank you for you understanding."
Or for a Validated Motor Carrier account:
"It appears you are stating that the driver listed on the report utilized your carrier information fraudulently. Due to the overabundance in fraud in the commercial motor vehicle industry and to protect motor carriers, drivers and the inspection process, we need to properly investigate requests concerning the incorrect attribution of inspections thoroughly. In cases like this, Colorado requires the following from the requestor:

The requestor must be utilizing a Validated Motor Carrier Account inside the DataQs System. Please see the DataQs FAQ section on Why am I listed as an unvalidated motor carrier? You are already utilizing a Validated Motor Carrier Account.

You will need to file an identity theft, fraud, or similar offense police report with a local law enforcement agency in the city where the motor carrier's principal place of business is located as shown on the carrier's latest MCS-150 form. The report must be made IN PERSON . The report must include that the carrier requested the person/s responsible be <i>prosecuted for the fraudulent use of the carrier's information; and must also submit a sworn statement on the police form. </i> You will then need to obtain a copy of the report and sworn statement, and upload it into this Request for Data Review (DataQ).

File a fraud report with the US Department of Transportations Office of the Inspector General Hotline at https:// https://www.oig.dot.gov/hotline. Once submitted take a screenshot of the confirmation page and upload it into this Request for Data Review (DataQ).

Once the documents are received, they will be reviewed for completeness, and we will attempt to find the correct carrier for this inspection, if none is found the carrier assignment for the inspection may be changed to the driver or registered owner of the power unit.

We understand that this process can take some time, this request has been placed in the status of Pending Requestor Response, the DataQs system may auto-close the request after 14 days, that is an automatic system outside of state control. You may reopen the request with the documents at anytime up to three years from the date of inspection.

Thank you for you understanding."

Step 4: Look for all information possible regarding carrier.
Systems to look at for all requests:
Body Worn Camera Footage for Driver statement, Side of Vehicle and potentially shipping papers.
DACH for pre-Employment screenings and other Clearinghouse checks
ERODS header information in SafeSpect
NLETS for Vehicle Owner information
CVIEW and IDR for IRP Data
CVIEW/Query Central/SafeSpect for vehicle and Driver inspection History
DIR for Crash History
DRIVES for Colorado Intrastate CMV Vehicle Data (USDOT, Title, Owner, and Lease) ONLY INTRASTATE
COOPR for Oversize Overweight Permitting Information ONLY OVERSIZE LOADS
If fraud attempt to use these systems plus the open public internet to determine the correct carrier. Otherwise verify the evidence provided in the request to the evidence in the above systems to determine which carrier should be listed on the report.
If the majority of the above systems show that the carrier already on the report is the correct carrier for the record. Close the request with No Data Correction Made And template Original Carrier. "Upon review of provided evidence and the following systems it was determined that the report is

already assigned to the correct carrier. No change was made on the report."
Step 5: Determine correct carrier and enter new data in SafeSpect.
Edit the report to have the correct carrier information present on it. Close the request with data Correction made and template Carrier changed:
"It was determined that the carrier on the report was incorrect and has been updated in the Colorado SafeSpect System. The FMCSA SMS results and the PSP reports are updated monthly; these results are posted to the SMS and PSP websites approximately 2 weeks after the snapshot date. For more details, visit the SMS Information Center at <a href="
https://ai.fmcsa.dot.gov/SMS/HelpCenter/Index.aspx#faq30897">
https://ai.fmcsa.dot.gov/SMS/HelpCenter/Index.aspx#faq30897."

Inspection Incorrect Violation
Step 1: Confirm Type of Request
Read the request description and determine if the request is of the correct type. If it is not, change request type to appropriate Request Type, then follow procedures for appropriate Request Type.
Step 2: Close request that only mention repair of violations or are asking the state to be lenient
Any and all requests requesting that the state go "easy" will be closed with template "DataQs Usage"
"DataQs and the Request for Data Review is for ensuring accuracy of reporting. You have not requested review of the data for accuracy. Your request will be closed."
Any and all requests requesting that the violation be removed as it was repaired will be closed with template 'Repair not Grounds"
"Repair of a violation is not grounds for removal of the violation. As the requestor repaired the violation it cannot be removed. No change will be made to the report."
Step 3: Determine if evidence is required and if required present
Evidence is required if requestor is alleging a violation is factually incorrect. Evidence varies based on violation type.
Evidence is not required for an alleged issue of stacking or improper documentation of violations.
If evidence is required and none is provided Place request in Pending Requestor Response with template 'Evidence Required'.
"Please provide evidence supporting your request."
Step 4a: If improper stacking or improper documentation request determine

if incompliance with CVSA Ops Policies
Pull up a copy of the Ops Policies and determine if violations are documented properly. If the violations are written in accordance with Ops Policies, close request with No Correction Made and explain why the violations are not stacked or otherwise incompliance with CVSA Ops Policies.
Step 4b: Review all evidence regarding violation to determine if the violation existed at time of contact
Any documents provided that have been edited to get out of the violation, ie editing of logs since inspection, AI Generated images, photoshopped images beyond basic circles or arrows, editing metadata; will result in all provided evidence being assumed as intentionally misleading, as they relate to the report in question.
This may require comparing the logs and photos to Body Worn Camera Footage or any other evidence taken at the time of contact. Determine if the violation was present at the time of contact. Evidence from prior or post inspection will be given less weight.
Ensure that violation supplemental description matches violation code. Additionally determine if violation/s needs to be split or combined to be compliant with Ops Policies.
Step 5: Make the changes if necessary and close
If improper stacking or improper documentation is found, edit the inspection to follow guidance published. This may add or remove violations. Example a report containing a single violation for both rear turn signals, and two violations for brake lights on a straight truck would be edited to be TWO violations for the turn signals and one violation for the brake lights.
If violations need to be removed due to the violation being inaccurate, remove them in the SafeSpect System.
If Violations need a code changed, make the changes by copying the supplemental description and pasting it into the new violation.
Close the request with status Correction Made and explain what changes were made and why, include links and references to Ops Policies. Add at end of response include:
“These changes were made in the Colorado SafeSpect System. The FMCSA SMS results and the PSP reports are updated monthly; these results are posted to the SMS and PSP websites approximately 2 weeks after the snapshot date. For more details, visit the SMS Information Center at

https://ai.fmcsa.dot.gov/SMS/HelpCenter/Index.aspx#faq30897."

IF the violation was not changed from the original report close the request with no correction made, and include what evidence shows that the violation was accurate.

The only evidence that can be provided through DataQs by the DataQs Analyst is evidence contained in FMCSA Data Systems which is limited to data that originated from the public internet and data originating in FMCSA Data Systems (ERODS, DACH, DIR, SMS, etc), all footage and photographs should they request it will need to be obtained by the requestor through CSP Central Records or the MOU Agencies respective Records Request Process, AND will be subject to any records retrieval fees therein.

Inspection/Crash Incorrect Information

Step 1: Confirm Type of Request

Read the request description and determine if the request is of the correct type. If it is not, change request type to appropriate Request Type, then follow procedures for appropriate Request Type.

Step 2: Determine is what is being requested for Review

Eligible for Review:

All Vehicle Information

Level of Inspection

HazMat Information

Location Information

Shipper information

Cargo Information

Brake data

Not Eligible for Review:

Date/Time of Inspection (States Cannot Edit this information post submittal)

Report Number(States Cannot Edit this information post submittal)

If data requested for review is not eligible for review, Close the request with response "State Cannot edit Data"

"The Data you have requested for review is not editable and thus cannot be changed."

Step 3: Determine if evidence is needed and if information can be changed

Determine if evidence is needed and if information can be changed:

HazMat and Shipper Information is only able to edited on Hazardous Material

Inspections conducted by a Certified HazMat Inspector.
Level of inspection can only be changed for compliance with Ops Policies regarding level of Inspection.
Evidence required will vary request to request.
Request specific documentation if and when necessary.
Step 4: Review all evidence and determine correct information
Review both the evidence provided by the requestor and maintained by the inspector, as well as consult additional information systems if necessary.
If no change is found to be necessary, close the request with no correction made and explain why the information is already correct.
Step 4: Make the changes in SafeSpect
Make the necessary changes in the SafeSpect System. Close the request with correction made and note what changes were made and why. Include at end of response "The information was changed in the Colorado SafeSpect System. The FMCSA SMS results and the PSP reports are updated monthly; these results are posted to the SMS and PSP websites approximately 2 weeks after the snapshot date. For more details, visit the SMS Information Center at https://ai.fmcsa.dot.gov/SMS/HelpCenter/Index.aspx#faq30897."

Inspection Report Request

Type cannot be changed
Step 1: Ensure the requestor is authorized to receive the information:
Validated Motor Carriers require no further validation.
Unvalidated motor carriers must validate the account:
Motor Carrier Service Providers are to provide a copy of the contract between them and the carrier on the report.
Drivers must provide a copy of their Driver's license and that license must match the license on the report.
All others are directed to file a request with CSP Central Records for a CORA request.

If more information is required, set status to Pending Requestor Response and one of the following templates:
Unvalidated Motor Carrier "Please see DataQs help topic on Why am I listed as an unvalidated Motor Carrier?"
Motor Carrier Service Provider "You are logged in as a Motor Carrier Service

Provider, Please provide a copy of the contract between Motor Carrier listed on the report and Motor Carrier Service Provider."
Driver "Please provide a copy of the driver's license"

If the person requesting is not one of the above close the request Report Not Sent:
Requestor is not authorized to receive a copy of the report through DataQs. Requestor may request a copy through a Colorado Open Records Act Request by visiting CSP Central Records. https://csp.colorado.gov/talk-with-us/central-records-unit/

Step 2:
Export Report or Reports from SafeSpect
Attach copy of report to DataQs Response. Close request Report Sent and Template Report Sent:
Report/s attached to DataQs Reponse. Colorado does not need inspection Reports returned.

- Outcome of RDR
  - ***Responsible Party:***
    DataQs and Civil Penalties Administrator
  - ***Process:***
    Please see above:
    Document steps in the process for the review of RDRs below. As that question contains the response outcomes and closures inline with the review process as the review process can and will branch on a per review basis.
- Closure of RDR
  - ***Responsible Party:***
    DataQs and Civil Penalties Administrator
  - ***Process:***
    Please see above:
    Document steps in the process for the review of RDRs below. As that question contains the response outcomes and closures inline with the review process as the review process can and will branch on a per review basis.
- Timeliness:
  All requests to be opened within 5 days of filing.
  All reviews to be completed within 14 days of opening of request.

Expected Outcomes for RDR Closures:

Please see above

Communication:

Any time information is requested from officer, request status is changed to Pending Officer Response- "Pending comments from an Inspector"
Anytime footage is pending restoration from Archive: Pending Officer Comments Pending Body Worn Camera Footage Restoration from Archive
Anytime footage is requested from MOU: Pending Officer Comments "Pending Body Worn Camera Footage from Memorandum of Understanding Agency"
Anytime information is requested from another division of a state or FMCSA -Pending Local Agency Comments- Text will change per request
Anytime Courts are requested for information by Analyst -Pending Court Comments- Pending a response from the court.

Next Steps:

Contact information for the state is provided in the header of the DataQs Response, as well as listed on the DataQ Listing. No requests for rereview will be considered via any contact method other than through the DataQs System. All communications between the state and requestor must be conducted through the DataQs System. Evidence attached to an inspection in the FMCSA SafeSpect System can be provided to the requestor through DataQs. Evidence such as Body Worn Camera Footage, photos, and other evidence must be requested by the requestor through the Colorado State Patrol's or applicable Memorandum of Understanding Agency's Records Request Process. This is due to Colorado State Patrol's Policies and Colorado Laws regarding the release of evidence. The DataQ Administrator only has view access to digital evidence systems and is not an evidence technician, which would be required to properly determine proper release of evidence. The requestor can request the evidence through the proper agency's Records Request Process, at any time post inspection, release of that evidence would be governed by agency policies and applicable state laws.

Reconsideration Review Process

Roles and Responsibilities

- Person(s) responsible for decision-making for the Reconsideration Review process
    - ***Responsible Party:***

Selection of 3 members of list below with priority given to MCSAP Troopers, as decided by Sergeant over DataQ Administrator. All documentation provided to the council for all but Assigned to Wrong Carrier and Assigned to Wrong Driver DataQs will receive redacted evidence, not containing Carrier information, Driver information, vehicle information, or inspector information, to prevent biases from arising in the reconsideration process. Assigned to Wrong Carrier and Assigned to Wrong Driver DataQs due to their nature must allow for visibility of the information being requested for review. Reviewers selected will independently review all evidence provided and conduct their own research, then respond to the Sergeant with their decision and reasoning. Who will then forward the information to the DataQs administrator for implementation of their decision and respond to the requestor.

MCSAP Troopers
Hazardous Material Troopers
Port of Entry Officers

No member who conducted an inspection will be considered for the rereviewer.

- ***Supervisor(s):***
  Sergeant
- ***Backups:***
  N/A
- ***Interactions:***
  N/A

- Person(s) consulted for additional information or evidence
  - ***Responsible Party:***
    The council can reach out to the same group of people as the initial review, other than officer or supervisor of the officer. The group can request additional information from the requestor or original officer/supervisor through the DataQs administrator.
  - ***Supervisor(s):***
    N/A
  - ***Backups:***
    N/A
  - ***Interactions:***

N/A

- Person(s) convening a panel or committee
    - ***Responsible Party:***
      See persons responsible for decision-making for the Reconsideration Review process.
    - ***Supervisor(s):***
      N/A
    - ***Backups:***
      N/A
    - ***Interactions:***
      N/A
    - ***Panel members' titles and associations:***
      N/A

Escalation Procedures:

Any new additional documents provided through the DataQs system, or modifications to the requestors reasoning regarding why they believe the data is incorrect is reviewed through the Initial Review Process. Inspection Citation with Associated Violation is not eligible for council review as the data is added to the report and is purely an administrative task, additionally Council Members are not trained in the Adjudication Policy published by FMCSA. Inspection/Crash Missing and Duplicate Record are not eligible for council review as they are purely a technical or administrative process for ensuring that data is not duplicated or missing.

Process Description

- Review of RDR
    - ***Responsible Party:***
      DataQ Administrator-Closure and Provision of Evidence- Will remove all identification information from evidence in request and copy of request, and forward with request for the council to review to Sergeant Heath Roe. Also will include possible outcomes of request for council to choose from.

      Sergeant (council head)- Forwards request to his chosen members of the council for review

      Council Members- Review the data on the request and determines outcome, sends chosen outcome and reasoning to Seregeant.

Sergeant- Combines independent responses into one email to send to DataQ Administrator

DataQ Administrator- Removes Trooper identification information from Responses, provides carrier ultimate outcome, which includes the decision and reasoning of each Trooper and implements outcome in compliance with Process of initial Review.

  - ***Process:***
    See Above
- Outcome of RDR
  - ***Responsible Party:***
    See above
  - ***Process:***
    See above
- Closure of RDR
  - ***Responsible Party:***
    See above
  - ***Process:***
    Remove Identification data from all non-assigned to Wrong Carrier or Assigned to Wrong Driver DataQs- decreases potential biases regarding carrier/driver and inspector.
- Timeliness:
  All Council Members required to respond with decision within fourteen days.

Expected Outcomes for RDR Closures:

See original Review for potential Outcomes.

Communication:

All requests are placed in Pending Officer Response with Text "Pending Council Decsion."

Next Steps:

Requestor may request further review or provide additional evidence to begin process anew.

Final Review Process

Roles and Responsibilities

- Person(s) responsible for decision-making for the Final Review process
  - ***Responsible Party:***
    Captain of the Motor Carrier Unit
  - ***Supervisor(s):***
    Major over the Captain of the Motor Carrier Unit
  - ***Backups:***
    Sergent/Major over the Captain of the Motor Carrier Unit
  - ***Interactions:***
    Same as initial Review
- Person(s) consulted for additional information or evidence
  - ***Responsible Party:***
    Same as initial review
  - ***Supervisor(s):***
    X
  - ***Backups:***
    X
  - ***Interactions:***
    X
- Person(s) convening a panel or committee
  - ***Responsible Party:***
    X
  - ***Supervisor(s):***
    X
  - ***Backups:***
    X
  - ***Interactions:***
    X
  - ***Panel members' titles and associations:***
    X

Escalation Procedures:

All new evidence or a change in argument starts the process anew. Otherwise completion of the council review and a reopening sends the request to final review.

Process Description

- Review of RDR
    - ***Responsible Party:***
      Captain of the Motor Carrier Unit
    - ***Process:***
      DataQ Administrator notifies Captain of the Motor Carrier Unit of Final Review. Captain reviews all evidence and arguments, determining what is accurate at the time of contact, and makes a decision on the outcome of the review.
- Outcome of RDR
    - ***Responsible Party:***
      See above
    - ***Process:***
      See above.
- Closure of RDR
    - ***Responsible Party:***
      DataQ Administrator
    - ***Process:***
      Captain of the Motor Carrier Unit sends his response via Email to DataQ Administrator and The DataQ Admin implements his decision in compliance with the initial outcomes listed above.
- Timeliness:
  All reviews are to be conducted within 10 business days.

Expected Outcomes for RDR Closures:

See initial review Outcomes.

Communication:

Request will be set as pending Officer Comments with Text- Pending Final Review by Captain of the Motor Carrier Unit. His decision will be considered Final Agency Action. No further reviews will be permitted."

Next Steps:

Request will be closed with No correction made and NO FURTHER REVIEWS WILL BE CONSIDERED. Not even a reopening with new evidence. These reviews are declared as Final Agency Action.