

DataQs State Implementation Plan



Delaware

**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 Delaware.

DataQs State Implementation Plan

State: Delaware

MCSAP Lead Agency: Delaware State Police

Initial Review Process

Roles and Responsibilities

- Persons responsible for managing DataQs for the organization
 - **Responsible Party:**
Senior Administrative Specialist
 - **Supervisor(s):**
MCSAP Program Coordinator Sergeant
 - **Backups:**
Commercial Motor Vehicle Enforcement Unit Sergeant
 - **Interactions:**
<intentionally left blank>
- Person(s) responsible for decision-making for the Initial Review process
 - **Responsible Party:**
Senior Administrative Specialist
 - **Supervisor(s):**
MCSAP Program Coordinator Sergeant
 - **Backups:**
CMVEU Sergeant
 - **Interactions:**
<intentionally left blank>
- Person(s) consulted for additional information or evidence
 - **Responsible Party:**
CMVEU Sergeant will obtain additional information if needed from FMCSA, CVSA, or training instructors if needed.
 - **Supervisor(s):**
DSP Headquarters Traffic Section Lieutenant
 - **Backups:**
MCSAP Program Coordinator Sergeant.
 - **Interactions:**

Delaware State Police is the only agency in the state conducting MCSAP activities.

Process Description

- Receipt of RDR
 - **Responsible Party:**
Senior Administrative Specialist
 - **Process:**
Initial screening of incoming Data Qs, Review for administrative errors that can be corrected. After initial review for quality and administrative accuracy delegate to the proper supervisor for review and response.
- Review of RDR
 - **Responsible Party:**
Senior Administrative Specialist and CMVEU Sergeant
 - **Process:**
Senior Administrative Specialist processes inspection report requests-sends a copy to the requestor via upload in the Data Q system. Adjudicated citation requests-enters citation results in the inspection record if a notarized court disposition is provided by the requestor. Inquiries on crash report modifications-verifies if the request is valid for changes to be made. CMVEU Sergeant processes inspection report modifications or disputes of violations on inspection reports.
- Outcome of RDR
 - **Responsible Party:**
CMVEU Sergeant
 - **Process:**
The Data Q is investigated by the CMVEU Sergeant. A review of the inspection report and follow up with the inspector to verify any additional questions. The Sergeant will then make a clear decision based on the facts and evidence obtained. The action taken will be included in the FMCSA Data Q portal.
- Closure of RDR
 - **Responsible Party:**
Senior Administrative Specialist reviews inspection copies requests, citation results, crash inquiries
CMVEU Sergeant will investigate inspection violation disputes, DOT number usage disputes, corrections to inspection report information.
 - **Process:**

Adjudicated citation, crash record, or report request closures shall identify any changes made to the record, document the reason for the closure, provide information related to regulation, if a report is included, or evidence reviewed. Inspection RDR closures will identify the action taken and provide a detailed explanation as to the reason for the outcome.

- **Timeliness:**

CMVEU must respond to the RDR, either to request additional information or communicate a decision, within twenty-one (21) days of submission.

If the reviewer requests additional information from the requestor, CMVEU Sergeant will allow the full fourteen-day response period. These fourteen (14) days do not impact the timeline for review. The clock will stop while the requestor gathers additional information and will restart if the requestor responds.

If the requestor does not respond, the system will close the request with the status “Closed—No Requestor Response.” A request that is reopened after being closed for no response will be reviewed at the level it was closed and not escalated.

Each RDR closed with the status “Closed—No Data Correction Made” will adequately explain the facts and analysis supporting the decision.

Each response will contain the following information:

Decision-maker (name and title)

List of evidence reviewed

Decision; Specific reason(s) for decision

Next steps/directions for more information (RDR Reconsideration process).

Expected Outcomes for RDR Closures:

Closed—No Data Correction Made: The request has been closed, and the data will not be corrected.

Closed—Data Correction Made: The request has been closed, and the data will be corrected.

Closed—Citation Results Entered: The request has been closed, and the violation will be appended to reflect the outcome of the citation

Closed—Report Not Sent: The request has been closed, but the requested inspection report was not sent.

Closed—Report Sent: The request has been closed, and the agency sent the report. The

agency may have faxed or uploaded the report to Data Qs or it may have sent the report directly via email or postal mail.

Closed—No Requestor Response: The request was closed because the requestor did not respond.

Communication:

Contact submitters within the initial 7 days with an update that there is an ongoing review. Provide the submitter with appropriate contact information to provide and further details that are requested during the review. At the conclusion of the review communicate with the submitter that the data Q has been addressed and be available for open communication if needed to answer questions or concerns.

Next Steps:

Continued updates during the review and final notification on the results of the review with the factors and evidence used for the determined outcome. Submitters will be advised of the reason for closure and provided the decision maker name, title, list of evidence reviewed, and agency contact information.

Reconsideration Review Process

Roles and Responsibilities

- Person(s) responsible for decision-making for the Reconsideration Review process
 - **Responsible Party:**
MCSA Program Coordinator Will be responsible for a second review of any data Q.
 - **Supervisor(s):**
DSP Traffic Section Lieutenant..
 - **Backups:**
<intentionally left blank>
 - **Interactions:**
<intentionally left blank>
- Person(s) consulted for additional information or evidence
 - **Responsible Party:**
CMVEU Sergeant, MCSAP Program Coordinator Sergeant, DSP Traffic Section Lieutenant.
 - **Supervisor(s):**
DSP Traffic Section Captain.

- **Backups:**
<intentionally left blank>
- **Interactions:**
<intentionally left blank>
- Person(s) convening a panel or committee
 - **Responsible Party:**
Delaware is not utilizing a panel or committee review process.
 - **Supervisor(s):**
<intentionally left blank>
 - **Backups:**
<intentionally left blank>
 - **Interactions:**
<intentionally left blank>
 - **Panel members' titles and associations:**
<intentionally left blank>

Escalation Procedures:

All data Qs submitted will be opened and reviewed under the initial review process. If the submitter requests a second review after the initial decision a different Sergeant other than the first decision maker will review for the reconsideration. Below is the order of reviews after determined to need escalation.

Senior Administrative Specialist.

CMVEU Sergeant

MCSAP Program Coordinator Sergeant

DSP Traffic Section Lieutenant.

Process Description

- Review of RDR
 - **Responsible Party:**
Sergeant / MCSAP program coordinator will conduct the reconsideration review.
 - **Process:**
Sergeant/MCSAP program coordinator will conduct the reconsideration review if requested by the submitter. This will always be a different supervisor that conducted the first review. FMCSA division office will be contacted if needed for input regarding the reconsideration.
- Outcome of RDR
 - **Responsible Party:**

Receive the review request from the submitter after the initial review is submitted.

Assign the review to the Sergeant/MCSAP program coordinator.

The inspection under review is now investigated by a different/second supervisor.

The review is documented, and the submitter is notified of the findings.

- **Process:**

Review of initial Data Q and all previous review steps prior to reconsideration phase. Review all related documents and evidence used in each of the review steps and analyze what data sources were not utilized in the initial review process.

- Closure of RDR

- **Responsible Party:**

<intentionally left blank>

- **Process:**

Review of initial Data Q and all previous review steps prior to reconsideration phase. Review all related documents and evidence used in each of the review steps. Consult with original inspector for additional fact of the inspection if needed. Reference FMCSRs and CVSA inspection standards. Document closure reasoning and any actions taken if applicable.

- Timeliness:

Submitter must request an appeal review within 30 days.

The second reviewer must reach a decision within 21 days.

The second reviewer who is different than the first must notify the submitter immediate after their decision.

Expected Outcomes for RDR Closures:

Closed—No Data Correction Made: The request has been closed and the data will not be corrected.

Closed—Data Correction Made: The request has been closed and the data will be corrected.

Closed—Citation Results Entered: The request has been closed and the violation will be appended to reflect the outcome of the citation.

Closed—Report Not Sent: The request has been closed, but the requested inspection report was not sent.

Closed—Report Sent: The request has been closed and the agency sent the report. The agency may have faxed or uploaded the report to DataQs or it may have sent the report directly via email or postal mail.

Closed—No Requestor Response: The request was closed because the requestor did not respond

Communication:

Communication to submitter will be completed through the Data Q portal.

If a review requires more time for investigation, further review and reconsideration communication to submitter will be completed through the Data Q portal.

Next Steps:

The submitter can expect to be notified by the state within 21 days of submission of the reconsideration review. Details will be provided to the submitter regarding the outcome and there will be an open line of communication if needed. The reviewer will be transparent regarding all evidence reviewed.

Final Review Process

Roles and Responsibilities

- Person(s) responsible for decision-making for the Final Review process
 - **Responsible Party:**
DSP Traffic Section Lieutenant who is the supervisor of both Sergeants and the Senior Administrative Specialist.
 - **Supervisor(s):**
DSP Traffic Section Captain.
 - **Backups:**
<intentionally left blank>
 - **Interactions:**
<intentionally left blank>
- Person(s) consulted for additional information or evidence
 - **Responsible Party:**
MCSAP certified inspectors that are supervisors/Sergeants within the CMVEU. Trainers from the Part A or B school the inspector attended and FMCSA State Program Specialist.
 - **Supervisor(s):**
<intentionally left blank>
 - **Backups:**
<intentionally left blank>
 - **Interactions:**

<intentionally left blank>

- Person(s) convening a panel or committee
 - **Responsible Party:**
Delaware is not using a panel or committee review process.
 - **Supervisor(s):**
<intentionally left blank>
 - **Backups:**
<intentionally left blank>
 - **Interactions:**
<intentionally left blank>
 - **Panel members' titles and associations:**
<intentionally left blank>

Escalation Procedures:

After the Data Q has gone through all below listed steps. It will be escalated to the final review.

Administrative Specialist review

CMVEU Sergeant review

MCSAP Program Coordinator review.

Process Description

- Review of RDR
 - **Responsible Party:**
DSP Traffic Section Lieutenant.
 - **Process:**
CMVEU must reach a decision on the final review and communicate it to the submitter within thirty (30) days. The DSP Traffic Section Lieutenant will be contacted and notified of the need for a final review. The Lieutenant will be provided all the facts and documentation regarding the request to aid in this final review.
- Outcome of RDR
 - **Responsible Party:**
The Lieutenant will investigate and reach a final decision regarding the three previous recommended dispositions of the Data Q. All findings and recommendations will be provided to the requestor and the supporting rationale for the recommended disposition.
 - **Process:**

Review of initial Data Q and all previous reviewers' comments and investigative steps prior to final reconsideration. Review all related documents and evidence used in each of the review steps.

- Closure of RDR

- **Responsible Party:**

- Traffic Section Lieutenant

- **Process:**

- Closed—No Data Correction Made: The request has been closed, and the data will not be corrected. The Data Q was reviewed, and the evidence substantiated the violation was correct.

- Closed—Data Correction Made: The request has been closed, and the data will be corrected. The Data Q was reviewed, and the evidence substantiated the violation was incorrect and the violation was removed, or the regulation corrected to the proper regulation.

- Closed—Citation Results Entered: The request has been closed, and the violation will be appended to reflect the outcome of the citation.

- Closed—Report Not Sent: The request has been closed, but the requested inspection report was not sent.

- Closed—Report Sent: The request has been closed, and the agency sent the report. The agency may have faxed or uploaded the report to Data Q's, or it may have sent the report directly via email or postal mail.

- Closed—No Requestor Response: The request was closed because the requestor did not respond

- Timeliness:

- CMVEU will reach a decision on the final review within thirty days. All communications will be entered into the Data Q portal.

Expected Outcomes for RDR Closures:

Closed—No Data Correction Made: The request has been closed, and the data will not be corrected. The Data Q was reviewed, and the evidence substantiated the violation was correct.

Closed—Data Correction Made: The request has been closed, and the data will be corrected. The Data Q was reviewed, and the evidence substantiated the violation was incorrect and the violation was removed, or the regulation corrected to the proper regulation.

Closed—Citation Results Entered: The request has been closed, and the violation will be appended to reflect the outcome of the citation.

Closed—Report Sent: The request has been closed, and the agency sent the report. The

agency may have faxed or uploaded the report to Data Q's or it may have sent the report directly via email or postal mail.

Closed—No Requestor Response: The request was closed because the requestor did not respond

Communication:

Submitters will be notified via the Data Q portal.

Next Steps:

Data Q submitters will receive notice of the decision, the process used, the evidence reviewed who made the decision the contact information for follow up with the state agency. The submitter will be advised this is the final review.