

DataQs State Implementation Plan



Indiana; Indiana State Police (ISP)

**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 Indiana; Indiana State Police (ISP).

DataQs State Implementation Plan

State: Indiana; Indiana State Police (ISP)

MCSAP Lead Agency: Indiana State Police – only MCSAP agency authorized by state statute

Initial Review Process

Roles and Responsibilities

- Persons responsible for managing DataQs for the organization

- **Responsible Party:**

- Sergeant-Administrator(s)
 - First Sergeant-Administrator
 - MCI District Coordinator
 - MCI Zone Coordinator

All personnel have reviewed and understand requirements of the 4/2026 FRN regarding Data Q participation requirements. No designated RDR officer shall conduct a review involving an inspector they directly supervise.

- **Supervisor(s):**

- First Sergeant-Administrator
 - Lieutenant-Field/Administrator
 - Captain-Assistant Division Commander
 - Major-Division Commander
 - MCI Administrator

All personnel have reviewed and understand the 4/2026 FRN regarding Data Q participation requirements.

- **Backups:**

- This will be designated by the division commander when applicable.

- **Interactions:**

- The ISP is the only agency authorized by statute to conduct inspections and enforce the FMCSRs.

- Person(s) responsible for decision-making for the Initial Review process

- **Responsible Party:**

- Trooper - administrative
 - Sergeant-Field

Sergeant-Administrator(s)
First Sergeant-Administrator
Motor Carrier Inspector (MCI)
MCI District Coordinator
MCI Zone Coordinator

There shall be two staff members designated as primary RDR officers. However, each RDR officer has other primary duties as well. ISP CVED does not have staffing positions available in the State of Indiana mandatory agency staffing table for a stand-alone RDR position(s). The designated primary RDR officers shall hold rank of Trooper or Motor Carrier Inspector (MCI) up to First Sergeant or MCI Zone Coordinator or be a civilian contractor with intimate knowledge of the FMCSRs. If civilian personnel are contracted as RDR officers, they shall report directly to the Assistant Division Commander (Captain). At no time shall the inspector completing the driver/vehicle examination report, nor the inspectors immediate supervisor, conduct any part of the RDR process.

- **Supervisor(s):**
 - First Sergeant-Administrator
 - Lieutenant-Field/Administrator
 - Captain-Assistant Division Commander
 - Major-Division Commander
 - MCI Administrator
- **Backups:**

This will be designated by the division commander when applicable.
- **Interactions:**

The Indiana State Police is the only agency authorized by statute to conduct inspections.
- Person(s) consulted for additional information or evidence
 - **Responsible Party:**
 - ISP Training Division
 - ISP Legal Division
 - ISP-CVED Training Team
 - Prosecutor's Office
 - FMCSA Division Office
 - **Supervisor(s):**

N/A
 - **Backups:**

N/A

- **Interactions:**

Each potential group listed above may contact varying individuals or groups for further assistance.

Process Description

- Receipt of RDR

- **Responsible Party:**

There shall be two staff members designated as primary RDR officers. The designated RDR officers shall hold rank of Trooper/MCI up to First Sergeant/Zone Coordinator or be a civilian contractor with intimate knowledge of the FMCSRs. If civilian personnel are contracted as RDR officers, they shall report directly to the Assistant Division Commander (Captain).

This and all steps of the RDR process shall comply with all requirements of the FRN regarding Data Q participation dated April 2026.

- **Process:**

The RDR will be received through the FMCSA DataQ system and opened within the seven (7) day timeline set forth by the FMCSA.

- Review of RDR

- **Responsible Party:**

Trooper
Sergeant-Field
Sergeant-Administrator(s)
First Sergeant-Administrator
Motor Carrier Inspector (MCI)
MCI District Coordinator
MCI Zone Coordinator

- **Process:**

Initial Requests for Data Review

Any data review on violations involving citations shall not occur until the citation is adjudicated by the court of jurisdiction.

All requests for data reviews shall be made fairly and without bias and include a review of all available evidence (i.e. Inspector notes, BWC footage, documents and photos provided by the requestor, etc.). The RDR shall never be completed by the inspector that completed the driver/vehicle

examination report under review

All requests for data reviews received shall be “Opened-In Review” for initial review following the FMCSA mandated timeline (7 days), unless exigent circumstances exist.

If additional information is requested from an inspector or the submitter, that request for additional information from the original reviewer shall include a 14-day deadline for response. At the time the request for additional information is sent, the response window (see 1e) is paused.

If a request for additional information is provided, that information shall be considered in the review decision and shall be made a permanent part of the RDR record.

If additional information is not provided by the 14-day deadline the RDR shall be closed based upon the available information and a note made in the RDR record that the request for additional information did not receive a response.

All RDRs shall receive a response within the FMCSA mandated timelines (21 days from date of submission), unless exigent circumstances exist.

All RDR requestors shall be notified of the RDR decision through the FMCSA RDR database. If the RDR is denied, the response must include a detailed explanation, containing facts sufficient that a reasonable person should understand the reason for denial.

Appeal (Reconsideration) Process

Appeals shall be completed following the FMCSA mandated timeline (21 days from date the appeal is received), unless exigent circumstances exist. Appeals shall not be handled by the original reviewer.

The appeal shall be handled by another RDR officer,

If that RDR officer is the inspector that is the subject of the RDR, the appeal shall be completed by another officer designated by the CVED commander or the commander’s proxy.

If denied, the responding RDR officer shall provide a detailed description of the facts that led to the denial.

If a second appeal is filed after the first appeal is completed, that second appeal shall be addressed by members of the DataQs Review Council, within FMCSA mandated timeline, unless exigent circumstances exist.

The DataQ’s Review Council shall be made up of the following personnel:

Division Commander (Major),

Assistant Division Commander (Captain),

the CVED field commander not directly in the chain-of-command of the inspector whose inspection is the subject of the RDR (i.e. CVED Lieutenant for MCI appeals, or the MCI Administrator for sworn appeals), or a non-division Part A and B certified commander at the rank of captain or above (if available).

For non-division inspections the Division Commander, Asst. Commander, and sworn CVE Field Commander (Lieutenant) shall make up the panel.

The DataQ Review Council reviewers shall consider all supporting documentation/information.

The decision of the DataQs Review Council shall be final.

Any related RDR's submitted after the final appeal will refer to the final decision and shall be closed with No Data Changed.

The appeal requestor shall be notified of the decision through the FMCSA RDR database.

- Outcome of RDR
 - **Responsible Party:**
Trooper
Sergeant-Field
Sergeant-Administrator(s)
First Sergeant-Administrator
Motor Carrier Inspector (MCI)
MCI District Coordinator
MCI Zone Coordinator
Lieutenant-Field/Administrator
Captain-Assistant Division Commander
Major-Division Commander
MCI Administrator
 - **Process:**
The Indiana State Police will review the RDR, consider all available evidence, request additional information from the requestor (as needed), and make a determination based on the guidance set forth in the FMCSA's DataQ Analyst Guide. ISP will provide a detailed response to the requestor, and the response shall include information sufficient to explain the determination. Each step in the appeals process will be handled in the same manner.
- Closure of RDR
 - **Responsible Party:**
Trooper
Sergeant-Field

Sergeant-Administrator(s)
First Sergeant-Administrator
Motor Carrier Inspector (MCI)
MCI District Coordinator
MCI Zone Coordinator
Lieutenant-Field/Administrator
Captain-Assistant Division Commander
Major-Division Commander
MCI Administrator

○ **Process:**

Initial Requests for Data Review

Any data review on violations involving citations shall not occur until the citation is adjudicated by the court of jurisdiction.

All requests for data reviews shall be made fairly and without bias and include a review of all available evidence (i.e. Inspector notes, BWC footage, documents and photos provided by the requestor, etc.).

All requests for data reviews received shall be “Opened-In Review” for initial review following the FMCSA mandated timeline (7 days), unless exigent circumstances exist.

If additional information is requested from an inspector or the submitter, that request for additional information from the original reviewer shall include a 14-day deadline for response. At the time the request for additional information is sent, the response window (see 1e) is paused.

If a request for additional information is provided, that information shall be considered in the review decision and shall be made a permanent part of the RDR record.

If additional information is not provided by the 14-day deadline the RDR shall be closed based upon the available information and a note made in the RDR record that the request for additional information did not receive a response.

All RDRs shall receive a response within the FMCSA mandated timelines (21 days from date of submission), unless exigent circumstances exist.

All RDR requestors shall be notified of the RDR decision through the FMCSA RDR database. If the RDR is denied, the response must include a detailed explanation, containing facts sufficient that a reasonable person should understand the reason for denial.

Appeal (Reconsideration) Process

Appeals shall be completed following the FMCSA mandated timeline (21 days from date the appeal is received), unless exigent circumstances exist. Appeals shall not be handled by the original reviewer.

The appeal shall be handled by another RDR officer,

If that RDR officer is the inspector that is the subject of the RDR, the appeal shall be completed by another officer designated by the CVED commander or the commander's proxy.

If denied, the responding RDR officer shall provide a detailed description of the facts that led to the denial.

If a second appeal is filed after the first appeal is completed, that second appeal shall be addressed by members of the DataQs Review Council, within FMCSA mandated timeline, unless exigent circumstances exist.

The DataQ's Review Council shall be made up of the following personnel:

Division Commander (Major),

Assistant Division Commander (Captain),

the CVED field commander not directly in the chain-of-command of the inspector whose inspection is the subject of the RDR (i.e. CVED Lieutenant for MCI appeals, or the MCI Administrator for sworn appeals), or a non-division Part A and B certified commander at the rank of captain or above (if available).

For non-division inspections the Division Commander, Asst. Commander, and sworn CVE Field Commander (Lieutenant) shall make up the panel.

The DataQ Review Council reviewers shall consider all supporting documentation/information.

The decision of the DataQs Review Council shall be final.

Any related RDR's submitted after the final appeal will refer to the final decision and shall be closed with No Data Changed.

The appeal requestor shall be notified of the decision through the FMCSA RDR database.

- **Timeliness:**

Open an RDR within seven calendar days of submission for Initial Review request.

Respond to Initial Review RDRs within 21 calendar days of submission.

Submitter must request an appellate review (to receive a Reconsideration or a Final Review) within 30 days.

Reach a decision on the Reconsideration Review and communicate it to the submitter within 21 calendar days.

Reach a decision on the Final Review and communicate it to the submitter within 45

calendar days.

ISP may request additional information from the requestor.

For all stages of review, if ISP requests additional information from the requestor, the requestor has 14 days to provide the information. The 14 days do not count towards the timeline for the review.

If the requestor does not respond, the system will close the request with the status “Closed—No Requestor Response” unless a decision can be made with existing information.

A request that is reopened after being closed for no response will not be escalated but instead will be reviewed at the level it was closed. If new information or evidence is provided, the RDR will be reviewed in the Initial Review process.

If a complex RDR requires additional time, ISP will work with the FMCSA to address these RDRs on an individual basis.

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.

*Each response will contain a detailed explanation of the information considered to close the RDR.

Communication:

ISP will demonstrate a commitment to transparency in the process by using templates to ensure consistent, detailed responses and ensuring touchpoints with the submitters at designated points in the review process. The templates will be supplemented by additional information that explains how the decision was made and what data was used to inform the decision.

Next Steps:

Requestors who wish to receive evidence or further documentation (other than the explanation of the decision) used to close the RDR may request access to the information through ISP's public access portal (link listed below).

APRA Public Records Portal

Reconsideration Review Process

Roles and Responsibilities

- Person(s) responsible for decision-making for the Reconsideration Review process

- **Responsible Party:**

- MCI Administrator – Will not review any RDRs within the MCI Administrator's chain of command.

- Lieutenant-Field/Administrator – will not review any RDRs with the Lieutenant's chain of command.

- Captain-Assistant Division Commander - Entire division falls within chain of command but there is significant separation from those in the field. *

- Major-Division Commander – Entire division fall within chain of command but there is significant separation from those in the field *

- *As a paramilitary organization, ISP follows the military rank and command structure. Due to differing responsibilities, and therefore required knowledge, with very limited exception, it is not possible to find command level personnel with the required knowledge base to perform RDRs outside of the CVED.

- **Supervisor(s):**

- Determined by CVED commander

- **Backups:**

- Determined by CVED commander as necessary.

- **Interactions:**

- The Indiana State Police is the only agency authorized by statute to conduct inspections and enforce the FMCSRs.

- Person(s) consulted for additional information or evidence

- **Responsible Party:**

- ISP Training Division

- ISP Legal Division

ISP-CVED Training Team
Prosecutor's Office
FMCSA Division Office

- **Supervisor(s):**
N/A
- **Backups:**
N/A
- **Interactions:**
Each potential group listed above may contact varying individuals or groups for further assistance.
- Person(s) convening a panel or committee
 - **Responsible Party:**
Major-Division Commander
 - **Supervisor(s):**
Lieutenant Colonel - Deputy Superintendent of Field Operations
 - **Backups:**
Major – Captain, Assistant Division Commander
Lieutenant Colonel – Colonel, Assistant Superintendent) or Superintendent
 - **Interactions:**
As high ranking officials the Major, Lt. Colonel, Colonel, and Superintendent have interactions with all types of law enforcement agencies, government entities, and private groups/citizens. The Indiana State Police is the only agency in the state of Indiana Statutorily authorized to enforce the Federal Motor Carrier Safety Regulations.
 - **Panel members' titles and associations:**
MCI Administrator or Lieutenant-Field Commander
Captain-Assistant Division Commander
Major-Division Commander

*Depending on the situation the Division Commander may utilize other ISP Commanders holding the rank of Captain or above that are certified in NASI Part A and B (if available).

Escalation Procedures:

Appeal (Reconsideration) Process

Appeals shall be completed following the FMCSA mandated timeline (21 days from date the appeal is received), unless exigent circumstances exist.

Appeals shall not be handled by the original reviewer.

The appeal shall be handled by another RDR officer,

If that RDR officer is the inspector that is the subject of the RDR, the appeal shall be completed by another officer designated by the CVED commander or the commander's proxy.

If denied, the responding RDR officer shall provide a detailed description of the facts that led to the denial.

If a second appeal is filed after the first appeal is completed, that second appeal shall be addressed by members of the DataQs Review Council, within FMCSA mandated timeline, unless exigent circumstances exist.

The DataQ's Review Council shall be made up of the following personnel:

Division Commander (Major),

Assistant Division Commander (Captain),

the CVED field commander not directly in the chain-of-command of the inspector whose inspection is the subject of the RDR (i.e. CVED Lieutenant for MCI appeals, or the MCI Administrator for sworn appeals), or a non-division Part A and B certified commander at the rank of captain or above (if available).

For non-division inspections the Division Commander, Asst. Commander, and sworn CVE Field Commander (Lieutenant) shall make up the panel.

The DataQ Review Council reviewers shall consider all supporting documentation/information.

The decision of the DataQs Review Council shall be final.

Any related RDR's submitted after the final appeal will refer to the final decision and shall be closed with No Data Changed.

The appeal requestor shall be notified of the decision through the FMCSA RDR database.

Process Description

- Review of RDR
 - **Responsible Party:**
Appeal (Reconsideration) Process

Appeals shall be completed following the FMCSA mandated timeline (21 days from date the appeal is received), unless exigent circumstances exist.

Appeals shall not be handled by the original reviewer.

The appeal shall be handled by another RDR officer,

If that RDR officer is the inspector that is the subject of the RDR, the appeal shall be completed by another officer designated by the CVED commander or the commander's proxy.

If denied, the responding RDR officer shall provide a detailed description of the facts that led to the denial.

If a second appeal is filed after the first appeal is completed, that second appeal shall be addressed by members of the DataQs Review Council, within FMCSA mandated timeline, unless exigent circumstances exist.

The DataQ's Review Council shall be made up of the following personnel:

Division Commander (Major),

Assistant Division Commander (Captain),

the CVED field commander not directly in the chain-of-command of the inspector whose inspection is the subject of the RDR (i.e. CVED Lieutenant for MCI appeals, or the MCI Administrator for sworn appeals), or a non-division Part A and B certified commander at the rank of captain or above (if available).

For non-division inspections the Division Commander, Asst. Commander, and sworn CVE Field Commander (Lieutenant) shall make up the panel.

The DataQ Review Council reviewers shall consider all supporting documentation/information.

The decision of the DataQs Review Council shall be final.

Any related RDR's submitted after the final appeal will refer to the final decision and shall be closed with No Data Changed.

The appeal requestor shall be notified of the decision through the FMCSA RDR database.

- **Process:**

Appeal (Reconsideration) Process

Appeals shall be completed following the FMCSA mandated timeline (21 days from date the appeal is received), unless exigent circumstances exist.

Appeals shall not be handled by the original reviewer.

The appeal shall be handled by another RDR officer,

If that RDR officer is the inspector that is the subject of the RDR, the appeal shall be completed by another officer designated by the CVED commander or the commander's proxy.

If denied, the responding RDR officer shall provide a detailed description of the facts that led to the denial.

If a second appeal is filed after the first appeal is completed, that second appeal shall be addressed by members of the DataQs Review Council, within FMCSA mandated timeline, unless exigent circumstances exist.

The DataQ's Review Council shall be made up of the following personnel:

Division Commander (Major),
Assistant Division Commander (Captain),
the CVED field commander not directly in the chain-of-command of the
inspector whose inspection is the subject of the RDR (i.e. CVED Lieutenant
for MCI appeals, or the MCI Administrator for sworn appeals), or a non-
division Part A and B certified commander at the rank of captain or above (if
available).

For non-division inspections the Division Commander, Asst. Commander,
and sworn CVE Field Commander (Lieutenant) shall make up the panel.
The DataQ Review Council reviewers shall consider all supporting
documentation/information.

The decision of the DataQs Review Council shall be final.

Any related RDR's submitted after the final appeal will refer to the final
decision and shall be closed with No Data Changed.

The appeal requestor shall be notified of the decision through the FMCSA
RDR database.

- Outcome of RDR

- **Responsible Party:**

- Major-Division Commander (or Captain – Asst. Commander if Major is not
available.)

- **Process:**

- Appeal (Reconsideration) Process

Appeals shall be completed following the FMCSA mandated timeline (21
days from date the appeal is received), unless exigent circumstances exist.
Appeals shall not be handled by the original reviewer.

The appeal shall be handled by another RDR officer,

If that RDR officer is the inspector that is the subject of the RDR, the appeal
shall be completed by another officer designated by the CVED commander
or the commander's proxy.

If denied, the responding RDR officer shall provide a detailed description of
the facts that led to the denial.

If a second appeal is filed after the first appeal is completed, that second
appeal shall be addressed by members of the DataQs Review Council, within
FMCSA mandated timeline, unless exigent circumstances exist.

The DataQ's Review Council shall be made up of the following personnel:

Division Commander (Major),
Assistant Division Commander (Captain),

the CVED field commander not directly in the chain-of-command of the inspector whose inspection is the subject of the RDR (i.e. CVED Lieutenant for MCI appeals, or the MCI Administrator for sworn appeals), or a non-division Part A and B certified commander at the rank of captain or above (if available).

For non-division inspections the Division Commander, Asst. Commander, and sworn CVE Field Commander (Lieutenant) shall make up the panel.

The DataQ Review Council reviewers shall consider all supporting documentation/information.

The decision of the DataQs Review Council shall be final.

Any related RDR's submitted after the final appeal will refer to the final decision and shall be closed with No Data Changed.

The appeal requestor shall be notified of the decision through the FMCSA RDR database.

- Closure of RDR
 - **Responsible Party:**
Appeal (Reconsideration) Process

Appeals shall be completed following the FMCSA mandated timeline (21 days from date the appeal is received), unless exigent circumstances exist. Appeals shall not be handled by the original reviewer.

The appeal shall be handled by another RDR officer,

If that RDR officer is the inspector that is the subject of the RDR, the appeal shall be completed by another officer designated by the CVED commander or the commander's proxy.

If denied, the responding RDR officer shall provide a detailed description of the facts that led to the denial.

If a second appeal is filed after the first appeal is completed, that second appeal shall be addressed by members of the DataQs Review Council, within FMCSA mandated timeline, unless exigent circumstances exist.

The DataQ's Review Council shall be made up of the following personnel:

Division Commander (Major),

Assistant Division Commander (Captain),

the CVED field commander not directly in the chain-of-command of the inspector whose inspection is the subject of the RDR (i.e. CVED Lieutenant for MCI appeals, or the MCI Administrator for sworn appeals), or a non-division Part A and B certified commander at the rank of captain or above (if available).

For non-division inspections the Division Commander, Asst. Commander, and sworn CVE Field Commander (Lieutenant) shall make up the panel. The DataQ Review Council reviewers shall consider all supporting documentation/information.

The decision of the DataQs Review Council shall be final.

Any related RDR's submitted after the final appeal will refer to the final decision and shall be closed with No Data Changed.

The appeal requestor shall be notified of the decision through the FMCSA RDR database.

- **Process:**

- Appeal (Reconsideration) Process

Appeals shall be completed following the FMCSA mandated timeline (21 days from date the appeal is received), unless exigent circumstances exist.

Appeals shall not be handled by the original reviewer.

The appeal shall be handled by another RDR officer,

If that RDR officer is the inspector that is the subject of the RDR, the appeal shall be completed by another officer designated by the CVED commander or the commander's proxy.

If denied, the responding RDR officer shall provide a detailed description of the facts that led to the denial.

If a second appeal is filed after the first appeal is completed, that second appeal shall be addressed by members of the DataQs Review Council, within FMCSA mandated timeline, unless exigent circumstances exist.

The DataQ's Review Council shall be made up of the following personnel:

Division Commander (Major),

Assistant Division Commander (Captain),

the CVED field commander not directly in the chain-of-command of the inspector whose inspection is the subject of the RDR (i.e. CVED Lieutenant for MCI appeals, or the MCI Administrator for sworn appeals), or a non-division Part A and B certified commander at the rank of captain or above (if available).

For non-division inspections the Division Commander, Asst. Commander, and sworn CVE Field Commander (Lieutenant) shall make up the panel.

The DataQ Review Council reviewers shall consider all supporting documentation/information.

The decision of the DataQs Review Council shall be final.

Any related RDR's submitted after the final appeal will refer to the final

decision and shall be closed with No Data Changed.

The appeal requestor shall be notified of the decision through the FMCSA RDR database.

- **Timeliness:**

Open an RDR within seven calendar days of submission for Initial Review request.

Respond to Initial Review RDRs within 21 calendar days of submission.

Submitter must request an appellate review (to receive a Reconsideration or a Final Review) within 30 days.

Reach a decision on the Reconsideration Review and communicate it to the submitter within 21 calendar days.

Reach a decision on the Final Review and communicate it to the submitter within 45 calendar days.

ISP may request additional information from the requestor.

For all stages of review, if ISP requests additional information from the requestor, the requestor has 14 days to provide the information. The 14 days do not count towards the timeline for the review.

If the requestor does not respond, the system will close the request with the status “Closed—No Requestor Response” unless a decision can be made with existing information.

A request that is reopened after being closed for no response will not be escalated but instead will be reviewed at the level it was closed. If new information or evidence is provided, the RDR will be reviewed in the Initial Review process.

If a complex RDR requires additional time, ISP will work with the FMCSA to address these RDRs on an individual basis.

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.

*Each response will contain a detailed explanation of the information considered to close the RDR.

Communication:

ISP will demonstrate a commitment to transparency in the process by using templates to ensure consistent, detailed responses and ensuring touchpoints with the submitters at designated points in the review process.

Next Steps:

Requestors will receive a detailed explanation of the final determination. This will include information that was utilized to close the final RDR.

Requestors who wish to receive evidence or further documentation used to close the RDR may request access to the information through ISP's public access portal (link listed below).

APRA Public Records Portal

Final Review Process

Roles and Responsibilities

- Person(s) responsible for decision-making for the Final Review process
 - **Responsible Party:**
 - MCI Administrator – Will not review any RDRs within the MCI Administrator's chain of command.
 - Lieutenant-Field/Administrator – will not review any RDRs with the Lieutenant's chain of command.
 - Captain-Assistant Division Commander - Entire division falls within chain of command but there is significant separation from those in the field. *
 - Major-Division Commander – Entire division fall within chain of command but there is significant separation from those in the field *

*As a paramilitary organization, ISP follows the military rank and command structure. Due to differing responsibilities, and therefore required knowledge, with very limited exception, it is not possible to find command level personnel with the required knowledge base to perform RDRs outside of the CVED.

Depending on the situation the Division Commander may utilize other ISP Commanders, holding the rank of Captain or Major, if they possess the necessary knowledge to serve in the RDR role.

- **Supervisor(s):**
Lieutenant Colonel - Deputy Superintendent of Field Operations
- **Backups:**
Designated by ISP command as needed.
- **Interactions:**
N/A
- Person(s) consulted for additional information or evidence
 - **Responsible Party:**
ISP Training Division
ISP Legal Division
ISP-CVED Training Team
Prosecutor's Office
FMCSA Division Office
 - **Supervisor(s):**
N/A
 - **Backups:**
N/A
 - **Interactions:**
Each potential group listed above may contact varying individuals or groups for further assistance.
- Person(s) convening a panel or committee
 - **Responsible Party:**
Major-Division Commander (or Captain – Asst. Cmdr. if Maj. Is unavailable)
 - **Supervisor(s):**
Lieutenant Colonel - Deputy Superintendent of Field Operations
 - **Backups:**
N/A
 - **Interactions:**
N/A
 - **Panel members' titles and associations:**
MCI Administrator
Lieutenant-Field/Administrator
Captain-Assistant Division Commander
Major-Division Commander

*Depending on the situation the Division Commander may utilize other ISP Commanders holding the rank of Captain or above that are certified in NASI Part A and B.

Escalation Procedures:

Appeal (Reconsideration) Process

Appeals shall be completed following the FMCSA mandated timeline (21 days from date the appeal is received), unless exigent circumstances exist.

Appeals shall not be handled by the original reviewer.

The appeal shall be handled by another RDR officer,

If that RDR officer is the inspector that is the subject of the RDR, the appeal shall be completed by another officer designated by the CVED commander or the commander's proxy.

If denied, the responding RDR officer shall provide a detailed description of the facts that led to the denial.

If a second appeal is filed after the first appeal is completed, that second appeal shall be addressed by members of the DataQs Review Council, within FMCSA mandated timeline, unless exigent circumstances exist.

The DataQ's Review Council shall be made up of the following personnel:

Division Commander (Major),

Assistant Division Commander (Captain),

the CVED field commander not directly in the chain-of-command of the inspector whose inspection is the subject of the RDR (i.e. CVED Lieutenant for MCI appeals, or the MCI Administrator for sworn appeals), or a non-division Part A and B certified commander at the rank of captain or above (if available).

For non-division inspections the Division Commander, Asst. Commander, and sworn CVE Field Commander (Lieutenant) shall make up the panel.

The DataQ Review Council reviewers shall consider all supporting documentation/information.

The decision of the DataQs Review Council shall be final.

Any related RDR's submitted after the final appeal will refer to the final decision and shall be closed with No Data Changed.

The appeal requestor shall be notified of the decision through the FMCSA RDR database.

Process Description

- Review of RDR
 - **Responsible Party:**

MCI Administrator
Lieutenant-Field/Administrator
Captain-Assistant Division Commander
Major-Division Commander

*Depending on the situation the Division Commander may utilize other ISP Commanders holding the rank of Captain or above that are certified in NASI Part A and B.

- **Process:**
Appeal (Reconsideration) Process

Appeals shall be completed following the FMCSA mandated timeline (21 days from date the appeal is received), unless exigent circumstances exist. Appeals shall not be handled by the original reviewer.

The appeal shall be handled by another RDR officer,
If that RDR officer is the inspector that is the subject of the RDR, the appeal shall be completed by another officer designated by the CVED commander or the commander's proxy.

If denied, the responding RDR officer shall provide a detailed description of the facts that led to the denial.

If a second appeal is filed after the first appeal is completed, that second appeal shall be addressed by members of the DataQs Review Council, within FMCSA mandated timeline, unless exigent circumstances exist.

The DataQ's Review Council shall be made up of the following personnel:

Division Commander (Major),

Assistant Division Commander (Captain),

the CVED field commander not directly in the chain-of-command of the inspector whose inspection is the subject of the RDR (i.e. CVED Lieutenant for MCI appeals, or the MCI Administrator for sworn appeals), or a non-division Part A and B certified commander at the rank of captain or above (if available).

For non-division inspections the Division Commander, Asst. Commander, and sworn CVE Field Commander (Lieutenant) shall make up the panel.

The DataQ Review Council reviewers shall consider all supporting documentation/information.

The decision of the DataQs Review Council shall be final.

Any related RDR's submitted after the final appeal will refer to the final decision and shall be closed with No Data Changed.

The appeal requestor shall be notified of the decision through the FMCSA RDR database.

- Outcome of RDR

- **Responsible Party:**

MCI Administrator

Lieutenant-Field/Administrator

Captain-Assistant Division Commander

Major-Division Commander

*Depending on the situation the Division Commander may utilize other ISP Commanders holding the rank of Captain or above that are certified in NASI Part A and B.

- **Process:**

Appeal (Reconsideration) Process

Appeals shall be completed following the FMCSA mandated timeline (21 days from date the appeal is received), unless exigent circumstances exist. Appeals shall not be handled by the original reviewer.

The appeal shall be handled by another RDR officer,

If that RDR officer is the inspector that is the subject of the RDR, the appeal shall be completed by another officer designated by the CVED commander or the commander's proxy.

If denied, the responding RDR officer shall provide a detailed description of the facts that led to the denial.

If a second appeal is filed after the first appeal is completed, that second appeal shall be addressed by members of the DataQs Review Council, within FMCSA mandated timeline, unless exigent circumstances exist.

The DataQ's Review Council shall be made up of the following personnel:

Division Commander (Major),

Assistant Division Commander (Captain),

the CVED field commander not directly in the chain-of-command of the inspector whose inspection is the subject of the RDR (i.e. CVED Lieutenant for MCI appeals, or the MCI Administrator for sworn appeals), or a non-division Part A and B certified commander at the rank of captain or above (if available).

For non-division inspections the Division Commander, Asst. Commander, and sworn CVE Field Commander (Lieutenant) shall make up the panel.

The DataQ Review Council reviewers shall consider all supporting

documentation/information.

The decision of the DataQs Review Council shall be final.

Any related RDR's submitted after the final appeal will refer to the final decision and shall be closed with No Data Changed.

The appeal requestor shall be notified of the decision through the FMCSA RDR database.

- Closure of RDR
 - **Responsible Party:**
Major-Division Commander
 - **Process:**
Appeal (Reconsideration) Process

Appeals shall be completed following the FMCSA mandated timeline (21 days from date the appeal is received), unless exigent circumstances exist.

Appeals shall not be handled by the original reviewer.

The appeal shall be handled by another RDR officer,

If that RDR officer is the inspector that is the subject of the RDR, the appeal shall be completed by another officer designated by the CVED commander or the commander's proxy.

If denied, the responding RDR officer shall provide a detailed description of the facts that led to the denial.

If a second appeal is filed after the first appeal is completed, that second appeal shall be addressed by members of the DataQs Review Council, within FMCSA mandated timeline, unless exigent circumstances exist.

The DataQ's Review Council shall be made up of the following personnel:

Division Commander (Major),

Assistant Division Commander (Captain),

the CVED field commander not directly in the chain-of-command of the inspector whose inspection is the subject of the RDR (i.e. CVED Lieutenant for MCI appeals, or the MCI Administrator for sworn appeals), or a non-division Part A and B certified commander at the rank of captain or above (if available).

For non-division inspections the Division Commander, Asst. Commander, and sworn CVE Field Commander (Lieutenant) shall make up the panel.

The DataQ Review Council reviewers shall consider all supporting documentation/information.

The decision of the DataQs Review Council shall be final.

Any related RDR's submitted after the final appeal will refer to the final

decision and shall be closed with No Data Changed.

The appeal requestor shall be notified of the decision through the FMCSA RDR database.

- **Timeliness:**

Open an RDR within seven (7) calendar days of submission for Initial Review request.

Respond to Initial Review RDRs within 21 calendar days of submission.

Submitter must request an appellate review (to receive a Reconsideration or a Final Review) within 30 days.

Reach a decision on the Reconsideration Review and communicate it to the submitter within 21 calendar days.

Reach a decision on the Final Review and communicate it to the submitter within 45 calendar days.

ISP may request additional information from the requestor.

For all stages of review, if ISP requests additional information from the requestor, the requestor has 14 days to provide the information. The 14 days do not count towards the timeline for the review.

If the requestor does not respond within 14 days, the system will close the request with the status “Closed—No Requestor Response” unless a decision can be made with existing information.

A request that is reopened after being closed for no response will not be escalated but instead will be reviewed at the level it was closed. If new information or evidence is provided, the RDR will be reviewed in the Initial Review process.

If a complex RDR requires additional time, ISP will work with the FMCSA to address these RDRs on an individual basis.

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:

ISP will demonstrate a commitment to transparency in the process by using templates to ensure consistent, detailed responses and ensuring touchpoints with the submitters at designated points in the review process.

Next Steps:

Requestors will receive a detailed explanation of the final determination. This will include information that was utilized to close the final RDR.

Requestors who wish to receive evidence or further documentation used to close the RDR may request access to the information through ISP's public access portal (link listed below).

APRA Public Records Portal