

DataQs State Implementation Plan



Kansas

**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 Kansas.

DataQs State Implementation Plan

State: Kansas

MCSAP Lead Agency: Kansas Highway Patrol

Initial Review Process

Roles and Responsibilities

- Persons responsible for managing DataQs for the organization
 - **Responsible Party:**
MCSAP Lieutenant
 - **Supervisor(s):**
MCSAP Captain
 - **Backups:**
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 - **Interactions:**
Limited interactions with other agencies and offices about specific DataQ questions or reviews. These agencies include FMCSA Kansas Division, Kansas Corporation Commission, local police department and sheriff's offices who maintain CVSA certified personnel, the Kansas Motor Carrier Association, and trucking industry, and other stakeholders.
- Person(s) responsible for decision-making for the Initial Review process
 - **Responsible Party:**
MCSAP Technical Trooper, MCSAP Investigator
 - **Supervisor(s):**
MCSAP Lieutenant
 - **Backups:**
MCSAP Administrative Lieutenants
 - **Interactions:**
Limited interactions with other agencies and offices in regard to specific DataQ questions or reviews. These agencies include FMCSA Kansas Division, Kansas Corporation Commission, local police department and sheriff's offices who maintain CVSA certified personnel, the Kansas Motor Carrier Association, and trucking industry, and other stakeholders.
- Person(s) consulted for additional information or evidence
 - **Responsible Party:**

When working with a review, the initial reviewer may and will contact the local FMCSA division office, the Kansas Corporation Commission, Commercial Vehicle Safety Alliance, CVSA NAS Part A, B, hazmat and other course instructors as needed, DataQ review panel and MCSAP supervisors. Body worn cameras and in-car videos may be reviewed. State court databases may be reviewed to resolve requests for citation adjudication.

- **Supervisor(s):**
MCSAP Lieutenant
- **Backups:**
MCSAP Administrative Lieutenant
- **Interactions:**
During this phase, interactions with other agencies and offices happen on an as need basis. These interactions are based on research into the specific DataQ request being made.

Process Description

- Receipt of RDR
 - **Responsible Party:**
MCSAP Technical Trooper, MCSAP Investigator, KHP MCSAP administrative lieutenants, KHP MCSAP lieutenant, MCSAP Captain, MCSAP office personnel.
 - **Process:**
Per the Federal Register notice from FMCSA, effective July 1, 2025, the State of Kansas will accept and conduct a good faith review of all inspection-related RDRs that are submitted within 3 years from the date of inspection, and for all crash-related RDRs for 5 years from the date of a crash. The State of Kansas will open an RDR within seven days of submission of an initial review request.
The State of Kansas will reach a decision on an RDR in initial review and communicate it to the requestor within 21 days of submission.

The State of Kansas will reach a decision on any reconsideration review and communicate to the requestor within 21 days of the request for reconsideration review.

The State of Kansas will reach a decision on any first level appeal and communicate to the requestor within 21 days of the request for first level appeal.

The State of Kansas will reach a decision on any final review and communicate it within 45 days of the request for final review.

All requests for data review shall be responded to with a detailed response describing the findings of the DataQ investigator (e.g., violations upheld, overturned, carrier assignment changed, citation adjudication results entered, etc.).

If the DataQ investigator requests additional information from the requestor, the requestor should be afforded 14 days to provide the information. If the information is not provided within 14 days of the request, the DataQ request shall be closed with “No requestor response” for failing to provide the requested information. If additional information is provided, the DataQ investigator shall respond within 21 days with determination of their findings.

- Review of RDR
 - **Responsible Party:**
MCSAP investigator and MCSAP technical troopers
 - **Process:**
The initial review shall be investigated and responded to by a DataQ analyst, which may be a designated civilian employee, MCSAP trooper, or other non-supervisory personnel. The initial review need not be responded to by a supervisor but may be if other DataQ analysts are unavailable. A thorough investigation shall be conducted, which may include communication with the inspector, review of evidence obtained by the inspector, in-car camera footage, and/or body worn camera footage. Current regulations, interpretation questions, CVSA policies, state or local laws, and administrative regulations should also be reviewed.

The DataQ analyst may confer with other DataQ analysts, MCSAP instructors, and other regulatory personnel, such as the Kansas Corporation Commission and the Federal Motor Carrier Safety Administration. The DataQ analyst shall respond to the request for data review with a detailed explanation of the findings of their investigation.

Our initial and review process works the same way, no matter the request for data review.

- Outcome of RDR

- **Responsible Party:**

MCSAP Technical Trooper, MCSAP Investigator

- **Process:**

The initial review shall be investigated and responded to by a DataQ analyst, which may be a designated civilian employee, MCSAP trooper, or other non-supervisory personnel. The initial review need not be responded to by a supervisor but may be if other DataQ analysts are unavailable. A thorough investigation shall be conducted, which may include communication with the inspector, review of evidence obtained by the inspector, in-car camera footage, and/or body worn camera footage. Current regulations, interpretation questions, CVSA policies, state or local laws, and administrative regulations should also be reviewed.

The DataQ analyst may confer with other DataQ analysts, MCSAP instructors, and other regulatory personnel, such as the Kansas Corporation Commission and the Federal Motor Carrier Safety Administration. The DataQ analyst shall respond to the request for data review with a detailed explanation of the findings of their investigation.

Our initial and review process works the same way, no matter the request for data review.

- Closure of RDR

- **Responsible Party:**

MCSAP Technical Trooper, MCSAP Investigator

- **Process:**

Upon completion of the RDR investigation, the investigator will respond to each issue raised in the RDR in detail. This will include providing evidence reviewed, such as photos or documents. The investigator will include a notice that the requestor may file an appeal if so desired and the steps to do so. The investigator will include their name on the RDR response. The process will be the same regardless of the type of RDR.

- Timeliness:

Per the Federal Register notice from FMCSA, effective July 1, 2025, the State of Kansas will accept and conduct a good faith review of all inspection-related RDRs that are submitted within 3 years from the date of inspection, and for all crash-related RDRs for 5 years from the date of a crash.

The State of Kansas will open an RDR within seven days of submission of an initial review request.

The State of Kansas will reach a decision on an RDR in initial review and communicate it to the requestor within 21 days of submission.

The State of Kansas will reach a decision on any reconsideration review and communicate to the requestor within 21 days of the request for reconsideration review.

The State of Kansas will reach a decision on any first level appeal and communicate to the requestor within 21 days of the request for first level appeal.

The State of Kansas will reach a decision on any final review and communicate it within 45 days of the request for final review.

All requests for data review shall be responded to with a detailed response describing the findings of the DataQ investigator (e.g., violations upheld, overturned, carrier assignment changed, citation adjudication results entered, etc.).

If the DataQ investigator requests additional information from the requestor, the requestor should be afforded 14 days to provide the information. If the information is not provided within 14 days of the request, the DataQ request shall be closed with “No requestor response” for failing to provide the requested information. If additional information is provided, the DataQ investigator shall respond within 21 days with determination of their findings.

Expected Outcomes for RDR Closures:

Closed – no data correction made. The request has been closed, and the data will not be corrected. This is when an outcome is considered as no data correction made because the information challenged on the report or crash has been verified as proven to be accurate. In accordance with the Federal Register notice regarding the changes to the DataQ system, the requestor is required to provide evidence that the information on the report or crash was incorrect.

Closed – data correction made. The request has been closed, and the data will be corrected. A transparent explanation should be offered to the request. An amended copy of the inspection report will be included with the response.

Closed – citation results entered. The request has been closed. The court outcome has been verified through submitted documentation or the state-run court database. The results of the citation have been added to the inspection report in accordance with the DataQ analyst’s guide.

Closed – report not sent. The request has been closed. The request has been closed, but

the requested inspection report was not sent. – This occurs when the inspection request comes from a non-validated account, a driver not listed on the report or a requestor that is not associated with company on the report.

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. – A company or driver may request inspection reports through DataQs.

Closed—No Requestor Response: The request was closed because the requestor did not respond. – The requestor is given 14 days to respond to a request from the reviewer.

The requestor can be satisfied with investigation and response with no reply.

The requestor can provide further information for a reconsideration request.

The requestor can request an appeal, which will be handled by a MCSAP lieutenant in the same manner as the initial review. If the same determination is made (no data correction made), the requestor can request a second level appeal, which will be handled by a different MCSAP lieutenant, and will be considered the final level of appeal.

Communication:

Communication will be conducted primarily through the DataQ portal. At times, a phone call may be necessary to follow-up or clarify messages, but those conversations will be summarized in a future DataQ response in the portal for documentation.

Next Steps:

Requestors are notified of a data correction made and that the changes will be reflected in SMS within 60 days. An amended inspection report will be uploaded with the RDR. In some cases, a physical copy of the amended report may be sent to the carrier by email or US mail.

Requestors will be provided with the next steps for an appeal, if so desired.

Reconsideration Review Process

Roles and Responsibilities

- Person(s) responsible for decision-making for the Reconsideration Review process
 - **Responsible Party:**
Technical Trooper, MCSAP Investigator, MCSAP Lieutenant
 - **Supervisor(s):**
MCSAP Lieutenant, MCSAP Captain
 - **Backups:**

MCSAP Lieutenant

- **Interactions:**

During this phase, interactions with other agencies and offices happen on an as need basis. These interactions are based on research into the specific DataQ request being made. Limited interactions with other agencies and offices about specific DataQ questions or reviews. These agencies include FMCSA Kansas Division, Kansas Corporation Commission, local police department and sheriff's offices who maintain CVSA certified personnel, the Kansas Motor Carrier Association, and trucking industry, and other stakeholders.

- Person(s) consulted for additional information or evidence

- **Responsible Party:**

KHP Field Personnel and Inspectors – Field personnel are consulted for additional information that include photographs, audio and video recordings and body worn camera recordings. Inspectors that are involved with inspections that are subject to a DataQ review will not be directly involved in the DataQ process outside of providing information and evidence of violations.

MCSAP Technical Trooper, MCSAP Investigator – Reviewers of initial information and evidence. Knowledge of CFRs and CVSA policies.

- **Supervisor(s):**

MCSAP Lieutenants, MCSAP Captain

- **Backups:**

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- **Interactions:**

During this phase, interactions with other agencies and offices happen on an as need basis. These interactions are based on research into the specific DataQ request being made.

- Person(s) convening a panel or committee

- **Responsible Party:**

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- **Supervisor(s):**

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- **Backups:**

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- **Interactions:**

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- **Panel members' titles and associations:**
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Escalation Procedures:

If the requestor has additional information for the DataQ review, the second step is considered a “reconsideration request.” The reconsideration request may be responded to by the same DataQ investigator who responded to the initial review. This is not considered an appeal when new information is provided by the requestor, unless the requestor specifically asks for an appeal.

Process Description

- Review of RDR
 - **Responsible Party:**
MCSAP investigator, technical trooper, or MCSAP lieutenant
 - **Process:**
If the requestor has additional information for the DataQ review, the second step is considered a “reconsideration request.” The reconsideration request may be responded to by the same DataQ investigator who responded to the initial review. This is not considered an appeal when new information is provided by the requestor, unless the requestor specifically asks for an appeal.
- Outcome of RDR
 - **Responsible Party:**
MCSAP Technical Trooper, MCSAP Investigator
 - **Process:**
Per the Federal Register notice from FMCSA, effective July 1, 2025, the State of Kansas will accept and conduct a good faith review of all inspection-related RDRs that are submitted within 3 years from the date of inspection, and for all crash-related RDRs for 5 years from the date of a crash. The State of Kansas will open an RDR within seven days of submission of an initial review request.

The State of Kansas will reach a decision on any second level review and communicate to the requestor within 21 days of the request for reconsideration review.

All requests for data review shall be responded to with a detailed response describing the findings of the DataQ investigator (e.g., violations upheld,

overturned, carrier assignment changed, citation adjudication results entered, etc.).

If the DataQ investigator requests additional information from the requestor, the requestor should be afforded 14 days to provide the information. If the information is not provided within 14 days of the request, the DataQ request shall be closed with “No requestor response” for failing to provide the requested information. If additional information is provided, the DataQ investigator shall respond within 21 days with determination of their findings.

- Closure of RDR
 - **Responsible Party:**
MCSAP investigator, MCSAP technical troopers, and MCSAP lieutenants
 - **Process:**
Upon completion of the RDR investigation, the investigator will respond to each issue raised in the RDR in detail. This will include providing evidence reviewed, such as photos or documents. The investigator will include a notice that the requestor may file an appeal if so desired and the steps to do so. The investigator will include their name on the RDR response. The process will be the same regardless of the type of RDR.
- Timeliness:
Per the Federal Register notice from FMCSA, effective July 1, 2025, the State of Kansas will accept and conduct a good faith review of all inspection-related RDRs that are submitted within 3 years from the date of inspection, and for all crash-related RDRs for 5 years from the date of a crash.
The State of Kansas will open an RDR within seven days of submission of an initial review request.

The State of Kansas will reach a decision on any second level review and communicate to the requestor within 21 days of the request for first level appeal.

If the DataQ investigator requests additional information from the requestor, the requestor should be afforded 14 days to provide the information. If the information is not provided within 14 days of the request, the DataQ request shall be closed with “No requestor response” for failing to provide the requested information. If additional information is provided, the DataQ investigator shall respond within 21 days with determination of their findings.

Expected Outcomes for RDR Closures:

Closed—No Data Correction Made: The request has been closed, and the data will not be corrected. – When this type of RDR is escalated to a second level review, it is important the Second Level Reviewer confirm all details from the previous level and ensure no new information has been presented. Only requests that received full reviews with no new information are eligible to be reviewed at the second level.

Closed—Data Correction Made: The request has been closed, and the data will be corrected. – In the event the data is permitted to be changed, a transparent explanation should be offered to the requestor. It should explain the reason the First Level Reviewer decision has been changed.

Closed—Citation Results Entered: The request has been closed, and the violation will be appended to reflect the outcome of the citation. – The results from court records will always be verified through the state database. The Second Level Reviewer will review court findings independently from the First Level Reviewer. It may be necessary to call the County Attorney's Office to clarify results.

Closed—Report Not Sent: The request has been closed, but the requested inspection report was not sent. – This occurs when the inspection request comes from a non-validated account, a driver not listed on the report or a requestor that is not associated with company on the report. It is important to protect sensitive information by verifying who is requesting the report and only sending inspection reports to those eligible to receive it. The Second Level Reviewer will independently research and verify if the requestor is eligible to receive the report.

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. – A company or driver may request inspection reports through DataQs. Information from the requestor is required to be verified and the requestor must be eligible to receive the report. When the Second Level Reviewer permits a report to be sent, the requestor must have satisfied eligibility requirements.

Closed—No Requestor Response: The request was closed because the requestor did not respond. – The requestor is given 14 days to respond to a request from the reviewer. If the requestor fails to respond the request is automatically closed by the DataQs system. The 14-day requirement to respond is the same for a second level review as it is with the first level review.

Communication:

Communication will be conducted primarily through the DataQ portal. At times, a phone call may be necessary to follow-up or clarify messages, but those conversations will be summarized in a future DataQ response in the portal for documentation.

Next Steps:

Requestors are notified of a data correction made and that the changes will be reflected in SMS within 60 days. An amended inspection report will be uploaded with the RDR. In some cases, a physical copy of the amended report may be sent to the carrier by email or US mail.

Verbiage will be provided in the response to requestors with the next steps for an appeal, if so desired.

Final Review Process

Roles and Responsibilities

- Person(s) responsible for decision-making for the Final Review process
 - **Responsible Party:**
MCSAP investigator, MCSAP Technical Trooper, MCSAP lieutenants, MCSAP administrative lieutenants
 - **Supervisor(s):**
MCSAP lieutenants and captain
 - **Backups:**
MCSAP captain
 - **Interactions:**
During this phase, interactions with other agencies and offices happen on an as need basis. These interactions are based on research into the specific DataQ request being made.
- Person(s) consulted for additional information or evidence
 - **Responsible Party:**
CVSA certified inspector who conducted the inspection. Information will be gathered by the investigator from the initial inspector and reviewed. This information may include documents, photographs, video, statements, etc. The information will be thoroughly reviewed by the investigator who will decide on the validity of the violation(s). At times, the FMCSA Kansas Division office, the Kansas Corporation Commission, the CVSA, and certified

instructors may be consulted to review the evidence as well to ensure an independent and impartial review.

- **Supervisor(s):**
KHP lieutenants, KHP captains, MCSAP lieutenants, MCSAP captain
- **Backups:**
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- **Interactions:**
During this phase, interactions with other agencies and offices happen on an as need basis. These interactions are based on research into the specific DataQ request being made. These agencies include FMCSA Kansas Division, Kansas Corporation Commission, local police department and sheriff's offices who maintain CVSA certified personnel, the Kansas Motor Carrier Association, and trucking industry, and other stakeholders.
- Person(s) convening a panel or committee
 - **Responsible Party:**
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 - **Supervisor(s):**
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 - **Backups:**
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 - **Interactions:**
<intentionally left blank>
 - **Panel members' titles and associations:**
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Escalation Procedures:

Any RDR may be escalated to a final review at the request of the submitter. Each request for escalation will be handled the same way, no matter the type of request.

Process Description

- Review of RDR
 - **Responsible Party:**
MCSAP and administrative lieutenants
 - **Process:**
The final review shall be investigated and responded to by a MCSAP lieutenant. A thorough investigation shall be conducted, which may include communication with the inspector, previous RDR responses, a review of evidence obtained by the inspector, in-car camera footage, and/or body worn

camera footage. Current regulations, interpretation questions, CVSA policies, state or local laws, and administrative regulations should also be reviewed. The final reviewer may confer with other DataQ analysts, MCSAP instructors, and other regulatory personnel, such as the Kansas Corporation Commission and the Federal Motor Carrier Safety Administration. The final reviewer shall respond to the request for data review with a detailed explanation of the findings of their investigation.

Our final review process works the same way, no matter the request for data review.

- Outcome of RDR
 - **Responsible Party:**
MCSAP lieutenants
 - **Process:**
The final level reviewer will respond to the DataQ request after independently verifying all information. The final level reviewer will provide a detailed explanation as to the outcome, whether upheld or overturned.
- Closure of RDR
 - **Responsible Party:**
MCSAP lieutenants
 - **Process:**
Upon completion of the final review, the reviewer will respond to each issue raised in the RDR in detail. This will include providing evidence reviewed, such as photos or documents. The reviewer will include a notice that this is the final level of appeal in the process. The investigator will include their name on the RDR response. The process will be the same regardless of the type of RDR.
- Timeliness:
Per the Federal Register notice from FMCSA, effective July 1, 2025, the State of Kansas will accept and conduct a good faith review of all inspection-related RDRs that are submitted within 3 years from the date of inspection, and for all crash-related RDRs, 5 years from the date of a crash.
The State of Kansas will open an RDR within seven days of submission of a final level review request.

The State of Kansas will reach a decision on an RDR in final level review and communicate it to the requestor within 21 days of submission.

The State of Kansas will reach a decision on any final review and communicate it within 45 days of the request for final review.

All requests for data review shall be responded to with a detailed response describing the findings of the DataQ investigator (e.g., violations upheld, overturned, carrier assignment changed, citation adjudication results entered, etc.).

If the DataQ investigator requests additional information from the requestor, the requestor should be afforded 14 days to provide the information. If the information is not provided within 14 days of the request, the DataQ request shall be closed with “No requestor response” for failing to provide the requested information. If additional information is provided, the DataQ investigator shall respond within 21 days with determination of their findings.

Expected Outcomes for RDR Closures:

Closed – no data correction made. The request has been closed, and the data will not be corrected. This is when an outcome is considered as no data correction made because the information challenged on the report or crash has been verified as proven to be accurate. In accordance with the Federal Register notice regarding the changes to the DataQ system, the requestor is required to provide evidence that the information on the report or crash was incorrect.

Closed – data correction made. The request has been closed, and the data will be corrected. A transparent explanation should be offered to the request. An amended copy of the inspection report will be included with the response.

Closed – citation results entered. The request has been closed. The court outcome has been verified through submitted documentation or the state-run court database. The results of the citation have been added to the inspection report in accordance with the DataQ analyst’s guide.

Closed – report not sent. The request has been closed. The request has been closed, but the requested inspection report was not sent. – This occurs when the inspection request comes from a non-validated account, a driver not listed on the report or a requestor that is not associated with company on the report.

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. – A company or driver may request inspection reports through DataQs.

Closed—No Requestor Response: The request was closed because the requestor did not respond. – The requestor is given 14 days to respond to a request from the reviewer.

The requestor can be satisfied with investigation and response with no reply.

The requestor can provide further information for a reconsideration request.

The requestor can request an appeal, which will be handled by a MCSAP lieutenant in the same manner as the initial review. If the same determination is made (no data correction made), the requestor can request a second level appeal, which will be handled by a different MCSAP lieutenant, and will be considered the final level of appeal.

Communication:

Communication will be conducted primarily through the DataQ portal. At times, a phone call may be necessary to follow-up or clarify messages, but those conversations will be summarized in a future DataQ response in the portal for documentation.

Next Steps:

Submitters will be notified that the final level of appeal is the last step in the process, that no further appeals are available, all appeal opportunities have been exhausted, and any further requests for the RDR will be closed with no response given.