

DataQs State Implementation Plan



Montana

**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 Montana.

DataQs State Implementation Plan

State: Montana

MCSAP Lead Agency: Montana Department of Transportation

Initial Review Process

Roles and Responsibilities

- Persons responsible for managing DataQs for the organization
 - **Responsible Party:**
MCSAP Manager
 - **Supervisor(s):**
MDT MCS Division Administrator
 - **Backups:**
MCSAP Safety Program Field Supervisor
 - **Interactions:**
The Montana Department of Transportation (MDT) and Montana Highway Patrol (MHP) are the only agencies in Montana that perform CMV inspections. MDT works closely with our MHP partners in requesting information for DataQ requests.
- Person(s) responsible for decision-making for the Initial Review process
 - **Responsible Party:**
MCSAP Manager
 - **Supervisor(s):**
MCS Division Administrator
 - **Backups:**
MCSAP Field Supervisor
 - **Interactions:**
The Montana Department of Transportation (MDT) and Montana Highway Patrol (MHP) are the only agencies in Montana that perform CMV inspections. MDT works closely with our MHP partners in requesting information for DataQ requests.
- Person(s) consulted for additional information or evidence
 - **Responsible Party:**
MCS Enforcement Major
MT Full Court Portal – Court Citation Dispositions

- **Supervisor(s):**
MCS Enforcement Colonel
- **Backups:**
MCS District Captains
- **Interactions:**
The Montana Department of Transportation (MDT) and Montana Highway Patrol (MHP) are the only agencies in Montana that perform CMV inspections. MDT works closely with our MHP partners in requesting information for DataQ requests.
FMCSA Drug and Alcohol Clearinghouse Enforcement
IRP – IDR (IRP Data Repository) for vehicle ownership.

Process Description

- Receipt of RDR
 - **Responsible Party:**
MCSAP Manager
 - **Process:**
MCSAP Manager will open RDR.
RDR Report Requests will be sent to MCSAP Admin Assistant to execute
RDR Crash Report DataQ requests will be sent to the MCS Operations Analyst
Remainder of RDR's will be investigated by MCSAP Manager
- Review of RDR
 - **Responsible Party:**
MCSAP Manager
 - **Process:**
MCSAP Manager will review any evidence submitted in the DataQ by the author. MCSAP Manager will forward the Requested Report RDR's and the Crash Report RDR to the specified MCS employee. The MCSAP Manager will review state evidence pertaining to the DataQ, including the inspection, notes and attachments, video/body worn camera footage and any photographic evidence pertaining to the DataQ. If more evidence is needed, the MCSAP Manager will contact a member of the MCS Enforcement Bureau for information. A response to the DataQ author will be made within 7 days of receipt. If additional information is needed that will take longer than the 7 days, the MCSAP Manager will respond to the author noting the fact Montana is waiting on additional comments or information, not to exceed 21 days .

- Outcome of RDR
 - **Responsible Party:**
MCSAP Manager
 - **Process:**
MCSAP Manager will formulate a response to each DataQ request based on the possible outcomes.
 - Follow-up will be initiated with crash report and report request RDR's to verify a completed RDR.
 - Response to other RDR's will be dependent on the possible outcome. Evidence such as screenshots of documentation, video, audio or other documentation will be added in support of the RDR determination.
 - MCSAP Manager will request additional information from the inspecting officer or supervisor if needed.
 - If additional information is gained via another officer or supervisor, the MCSAP Manager will be the party responsible for the RDR response.
- Closure of RDR
 - **Responsible Party:**
MCSAP Manager
 - **Process:**
RDR's will only be closed after careful review of all evidence submitted and explored.
RDR's for crash report and report requests will be closed by the people assigned that task.
RDR's submitted that contain doctored, fraudulent or manipulated information will be closed with no changes taken and be addressed in the closure response.
MCSAP Manager will be responsible for verification of RDR closure when tasks are assigned to others.
- Timeliness:
 - Open RDR – 7 Days
 - Respond to Initial Review – 14 Days
 - Respond to Initial Review, Report Request – 7 Days
 - Respond to Initial Review, Crash Report – 10 Days
 - Respond to Reconsideration Review – 14 Days
 - Respond to Final Review – 30 Days
 - Response by state for requestor information – 14 Days, will close if no response

Expected Outcomes for RDR Closures:

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

Insufficient evidence provided, false information provided or state evidence proves the decision for closure and no change made.

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

Sufficient evidence is provided by the requestor. Review of the inspection shows a mistake by the inspector, or the inspection has been updated with the correct or removed information. An amended inspection will be included in the response.

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

Montana will carefully review court information included with RDR and verify with Montana Full Court portal for verification of court outcome. Will make the needed changes to the citation information.

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

To be used when multiple requests have been made for a specific report and the report has previously been sent.

Used when carrier/driver making request does not match data on requested 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.

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

Communication:

Montana will re-develop our response templates to align itself with the DataQ Implementation process. When responding to more in depth requests, a response template will be used along with a detailed overview of the result.

Next Steps:

All responses to an RDR will include a pre approved template response, with additional information on the reason for the decision whether a change is needed or not. The reviewer's information will be available on the response as well as information needed to escalate the RDR to the reconsideration level.

Reconsideration Review Process

Roles and Responsibilities

- Person(s) responsible for decision-making for the Reconsideration Review process
 - **Responsible Party:**
MCS Lieutenant
 - **Supervisor(s):**
MCS Major
 - **Backups:**
MCS Captains
 - **Interactions:**
The Montana Department of Transportation (MDT) and Montana Highway Patrol (MHP) are the only agencies in Montana that perform CMV inspections. MDT works closely with our MHP partners in requesting information for DataQ requests.
FMCSA Drug and Alcohol Clearinghouse Enforcement
IRP – IDR (IRP Data Repository) for vehicle ownership.
- Person(s) consulted for additional information or evidence
 - **Responsible Party:**
MCS Enforcement Major
MT Full Court Portal – Court Citation Dispositions
 - **Supervisor(s):**
MCS Enforcement Colonel
 - **Backups:**
BACKUP ROLE ONLY - MCS Enforcement Captains – MDT MCS contains 5 geographic districts. An MCS Captain will not take part in the decision making process for one of their district officers. When the MCS Captain is responding to an RDR, if that RDR contains one of their district officers, the next captain in line will take on the role for that RDR.
Example
District 1 will overview District 2
District 2 will overview District 3 and so on
 - **Interactions:**
The Montana Department of Transportation (MDT) and Montana Highway Patrol (MHP) are the only agencies in Montana that perform CMV inspections. MDT works closely with our MHP partners in requesting information for DataQ requests.

FMCSA Drug and Alcohol Clearinghouse Enforcement
IRP – IDR (IRP Data Repository) for vehicle ownership.

- Person(s) convening a panel or committee
 - **Responsible Party:**
N/A
 - **Supervisor(s):**
<intentionally left blank>
 - **Backups:**
<intentionally left blank>
 - **Interactions:**
<intentionally left blank>
 - **Panel members' titles and associations:**
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Escalation Procedures:

Only RDR's that have been closed via the Initial Review process will be considered for the Reconsideration Review process. MDT's Initial Review process will bear the same investigative details as a Reconsideration Review, just through different people.

Process Description

- Review of RDR
 - **Responsible Party:**
MCSAP Manager
 - **Process:**
MCSAP Manager will flag RDR's that are a reconsideration review and forward those RDR's to the MCS Lieutenant. The MCS Lieutenant will only open and investigate RDR's that have been flagged for Reconsideration Review. The MCS Lieutenant will independently gather the needed information via vehicle and body worn camera systems, photographic and digital evidence. If copies of RODS records are needed from the initial traffic stop, the MCS Lieutenant will request such records from the inspecting officer, preferably this information can be gathered through MDT's evidence system or by saved files within SafeSpect. Any conclusion of the Reconsideration Review will be independent of the Initial Review.
- Outcome of RDR
 - **Responsible Party:**
MCS Lieutenant
 - **Process:**

MCSAP Manager will flag RDR's that are a reconsideration review and forward those RDR's to the MCS Lieutenant. If sufficient new evidence exists to justify moving the RDR back to the Initial Review step, the MCSAP Manager will address the RDR as identified in the initial review process.

RDR Reconsideration Crash Reports will be sent to MCS Operations Manager for a Reconsideration on the crash report side. The MCS Operations Manager will then determine the closure or overrule the initial response via an independent review.

RDR Reconsiderations Review for inspections will be investigated independently by the MCS Lieutenant. The investigation will conclude within a 14 day period.

- Closure of RDR
 - **Responsible Party:**
MCS Lieutenant
 - **Process:**
MCS Lieutenant will review all material and respond within 14 days of the Reconsideration Review. All responses will contain the appropriate template response along with an explanation and evidence to support the decision to correct the data or not.
- Timeliness:
Reconsideration Reviews will take place and be responded to within a 14-day period.

Expected Outcomes for RDR Closures:

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

Insufficient evidence provided, false information provided or state evidence proves the decision for closure and no change made.

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

Sufficient evidence is provided by the requestor. Review of the inspection shows a mistake by the inspector or the person responsible for the initial review, or the inspection has been updated with the correct or removed information. An amended inspection will be included in the response.

Closed—Citation Results Entered: The request has been closed and the violation will be

appended to reflect the outcome of the citation.

Montana will carefully review court information included with RDR and verify will Montana Full Court portal for verification of court outcome. Will make the needed changes to the citation information.

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

To be used when multiple requests have been made for a specific report and the report has previously been sent.

Used when carrier/driver making request does not match data on requested 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.

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

Communication:

Complete canned templates that explain the RDR process and will explain the next steps based on the specific step the RDR. Responses will explain what will or won't happen next and will also include expected response timelines.

Next Steps:

The response will contain the reasoning for the decision and documentation that supports the decision along with possible next steps and timelines.

Final Review Process

Roles and Responsibilities

- Person(s) responsible for decision-making for the Final Review process
 - **Responsible Party:**
MCS Major
* The MCS Major does not directly supervise any of the field inspectors
 - **Supervisor(s):**
MCS Colonel
 - **Backups:**
MCSAP Field Manager
 - **Interactions:**

The Montana Department of Transportation (MDT) and Montana Highway Patrol (MHP) are the only agencies in Montana that perform CMV inspections. MDT works closely with our MHP partners in requesting information for DataQ requests.

FMCSA Drug and Alcohol Clearinghouse Enforcement
IRP – IDR (IRP Data Repository) for vehicle ownership.

- Person(s) consulted for additional information or evidence
 - **Responsible Party:**
MCS Colonel
 - **Supervisor(s):**
MCS Division Administrator
 - **Backups:**
MCSAP Field Supervisor
 - **Interactions:**
MCS Enforcement and MCSAP both fall within MDT's MCS Division, they do work together, however both are managed independently with separate chain of commands.
- Person(s) convening a panel or committee
 - **Responsible Party:**
N/A
 - **Supervisor(s):**
<intentionally left blank>
 - **Backups:**
<intentionally left blank>
 - **Interactions:**
<intentionally left blank>
 - **Panel members' titles and associations:**
<intentionally left blank>

Escalation Procedures:

MCSAP Manager will flag RDR's that are a final review and forward those RDR's to the MCS Major. If sufficient new evidence exists to justify moving the RDR back to the Initial Review step, the MCSAP Manager will address the RDR as identified in the initial review process.

RDRs submitted for a Final Review Process will follow the same process as the previous submittals – the MCS Major will consider all evidence submitted and evidence gathered from the inspection and decide on an outcome.

Process Description

- Review of RDR
 - **Responsible Party:**
MCS Major
 - **Process:**
MCSAP Manager will flag RDR's that are a final review and forward those RDR's to the MCS Major. If sufficient new evidence exists to justify moving the RDR back to the Initial Review step, the MCSAP Manager will address the RDR as identified in the initial review process.
MCS Major will review all material and respond within 30 days of the Final Review. All responses will contain the appropriate template response along with an explanation and evidence to support that explanation whether upheld or reversed.
- Outcome of RDR
 - **Responsible Party:**
MCS Major
 - **Process:**
MCS Major will check the DataQ site daily for RDR Final Review submissions. RDR Crash Report Submissions for Final Review will be handled by the MCS Major.

RDR Final Review for inspections will be investigated independently by the MCS Major. The investigation will conclude within a 30 day period.
- Closure of RDR
 - **Responsible Party:**
MCS Major
 - **Process:**
MCS Major will check the DataQ site daily for RDR Final Review submissions. RDR Crash Report Submissions for Final Review will be handled by the MCS Major.

RDR Final Review for inspections will be investigated independently by the MCS Major. The investigation will conclude within a 30 day period.
- Timeliness:
All Final Review submissions will be answered within a 30-day period.

Expected Outcomes for RDR Closures:

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

Insufficient evidence provided, false information provided or state evidence proves the decision for closure and no change made.

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

Sufficient evidence is provided by the requestor. Review of the inspection shows a mistake by the inspector or the person responsible for the initial review, or the inspection has been updated with the correct or removed information. An amended inspection will be included in the response.

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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:

With each response, MCS will indicate the appropriate step in the process with a predetermined template. That template will also indicate the next steps in the process, and agency contact information.

Next Steps:

The decision at the final review stage will be final. A template answer will be developed to professionally explain this final stage including referencing evidentiary information supplied by both the requestor and the state. The Name and phone of the reviewer will be included to help explain the decision with voice-to-voice communication if necessary.

