

DataQs State Implementation Plan



Nebraska

**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 Nebraska.

DataQs State Implementation Plan

State: Nebraska

MCSAP Lead Agency: Nebraska State Patrol

Initial Review Process

Roles and Responsibilities

- Persons responsible for managing DataQs for the organization
 - **Responsible Party:**
MCSAP Sergeant or designee
Carrier Enforcement Investigation Sergeant
MCSAP Lieutenant or designee
 - **Supervisor(s):**
MCSAP Lieutenant is the direct supervisor to the MCSAP Sergeant and Investigation Sergeant in the Carrier Enforcement Division
 - **Backups:**
The Investigation Sergeant is the designated backup to the MCSAP Sergeant for first-level reviews. In the event MCSAP Sergeant is not able to respond to requests or is conflicted with a request against an inspection or crash completed by the MCSAP Sergeant, the Investigation Sergeant responds as the first level reviewer.
 - **Interactions:**
MCSAP Sergeant is a Sworn Nebraska State Trooper in the Carrier Enforcement Division of the Nebraska State Patrol whose primary responsibilities include managing the DataQs program as well as coordinating,
as a backup to MCSAP Lieutenant, elements of the Commercial Vehicle Safety
Plan and grant management process. MCSAP Sergeant is lead agency backup
to MCSAP Lieutenant.

Investigation Sergeant is a Sworn Nebraska State Trooper in the Carrier Enforcement Division of the Nebraska State Patrol whose primary responsibilities include managing Carrier Enforcement Investigators and

reviewing all New Entrant Safety Audits and Compliance Reviews. All audits are sent to the Nebraska FMCSA Division Office in Lincoln, Nebraska.

MCSAP Lieutenant is a Sworn Nebraska State Trooper in the Carrier Enforcement Division of the Nebraska State Patrol whose primary responsibilities include managing all grants for the Carrier Enforcement Division in the Nebraska State Patrol. MCSAP Lieutenant is the lead agency contact with CVSA, the Nebraska DMV and Nebraska Trucking Association.

All above-mentioned attend annual FMCSA and CVSA conferences and have contacts with neighboring members of command in MCSAP lead agencies as well as partners in the commercial vehicle industry.

- Person(s) responsible for decision-making for the Initial Review process
 - **Responsible Party:**
MCSAP Sergeant is the first level reviewer for all requests for data review.
 - **Supervisor(s):**
MCSAP Lieutenant is the direct supervisor to the MCSAP Sergeant and Investigation Sergeant in the Carrier Enforcement Division
 - **Backups:**
Investigation Sergeant is the designated backup to the MCSAP Sergeant for first-level reviews. In the event MCSAP Sergeant is not able to respond to requests or is conflicted with a request against an inspection or crash completed by MCSAP Sergeant, the Investigation Sergeant responds as the first level reviewer.
 - **Interactions:**
MCSAP Sergeant is a Sworn Nebraska State Trooper in the Carrier Enforcement Division of the Nebraska State Patrol whose primary responsibilities include managing the DataQs program as well as coordinating, as a backup to MCSAP Lieutenant, elements of the Commercial Vehicle Safety Plan and grant management process. MCSAP Sergeant is lead agency backup to MCSAP Lieutenant.

Investigation Sergeant is a Sworn Nebraska State Trooper in the Carrier Enforcement Division of the Nebraska State Patrol whose primary responsibilities include managing Carrier Enforcement Investigators and reviewing all New Entrant Safety Audits and Compliance Reviews. All audits are sent to the Nebraska FMCSA Division Office in Lincoln, Nebraska.

MCSAP Lieutenant is a Sworn Nebraska State Trooper in the Carrier Enforcement Division of the Nebraska State Patrol whose primary responsibilities include managing all grants for the Carrier Enforcement Division in the Nebraska State Patrol. MCSAP Lieutenant is the lead agency contact with CVSA, the Nebraska DMV and Nebraska Trucking Association.

All above-mentioned attend annual FMCSA and CVSA conferences and have contacts with neighboring members of command in MCSAP lead agencies as well as partners in the commercial vehicle industry.

- Person(s) consulted for additional information or evidence
 - **Responsible Party:**
The Nebraska State Patrol designates a Trooper with the rank of Sergeant as the first level reviewer. This, as function of policy, allows the Sergeant to review dash and body worn camera video of all members of the Nebraska State Patrol who work crashes and conduct inspection/ investigations of motor carriers and drivers. This is the best evidence to review and quickly resolve requests.

In addition to reviewing camera video, access is also given to State court databases. Access to court documents resolves requests related to adjudicated citations.

In the event the Nebraska FMCSA Division Office needs to be contacted the State Program Specialist is an available contact.

- **Supervisor(s):**
The State Program Specialist is supervised by the Nebraska FMCSA Field Director.
- **Backups:**
<intentionally left blank>
- **Interactions:**
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Process Description

- Receipt of RDR
 - **Responsible Party:**
MCSAP Sergeant is the manager of the DataQs program and is the first level reviewer. Others that are involved in DataQs either as primary or backup are notified of all incoming requests via email. The list of those who receive

notifications are listed below:

MCSAP Sergeant – First Level Reviewer

Investigation Sergeant – Backup to MCSAP Sergeant for First Level Reviews

MCSAP Lieutenant – Second Level Reviewer

Research Analyst - Reviews and initiates changes as requested by the First Level Reviewer

IT Business Systems Analyst - Reviews CMV crash data and initiates changes along with Research Analyst as requested by the First Level Reviewer.

Carrier Enforcement Office Specialist - Backup to Research Analyst

- **Process:**

Notification for all requests/ responses and their receipt are sent via email which

is linked to the DataQs Portal. All members as mentioned above receive the same email notification.

The Nebraska State Patrol does not delegate specific RDR types to certain individuals. The First Level Reviewer reviews and initiates all responses unless a designated backup is requested or the request has been escalated to the Second Level Reviewer.

- Review of RDR

- **Responsible Party:**

MCSAP Sergeant, the designated First Level Reviewer, opens, reviews, researches and responds to all requests. If necessary, the MCSAP Sergeant may designate a Sworn member of the Nebraska State Patrol in the Carrier Enforcement Division to serve as a backup.

- **Process:**

Inspection Report Request – The request is opened and reviewed. The report is

then uploaded to the open request with a summary narrative, that indicates the

report has been added as requested.

Inspection Incorrect Violation – The request is opened. Dash and body worn camera video is reviewed. If necessary, the inspector is sent a request to provide additional information. The requestor's explanation and supporting evidence is also reviewed.

Inspection Citation with Associated Violation – The request is opened and reviewed. All inspections with citations are reviewed and considered for change in line with FMCSA's policy on adjudicated citations. The reviewer uses the Nebraska records database to check court records and confirm findings. If necessary, the reviewer will contact the County Attorney's Office to confirm details of a court record such as dismissal or a charge that was not filed.

Requests for Inspections related to a Wrong Driver or Wrong Carrier – The request is opened and reviewed. The information is then confirmed. The reviewer uses tools such as reviewing inspection notes, saved eRODS data files, dash and body worn camera video, Call for Service notes, Drug and Alcohol Clearinghouse results, previous inspection history, RDR history and any information provided by the requestor or requested by the reviewer such as lease agreements, correspondence between parties, police reports, shipping papers, hours of service and others.

Requests for Inspections Incorrect Information – The request is opened and reviewed. Dash and body worn camera video is reviewed along with Call for Service notes to determine what was viewed roadside. If necessary, to match vehicle information and confirm owners, driver and vehicle information may be ran through state records.

Crash-related requests - Most often are clarifications to the reporting requirements or a referral to the Federal review process for Crash Preventability. When requests for duplicate records are initiated, the use of the state records database is used to review crash reports and determine why a second record was entered. If the second record appears to be in error, the request is closed with an explanation in the response. A request is then sent to a Research Analyst in the Carrier Enforcement Division who reviews information and makes the change, typically by removing one of the crashes in MCMIS.

- Outcome of RDR
 - **Responsible Party:**
MCSAP Sergeant
 - **Process:**
Inspection Report Request - Only validated motor carrier accounts from the company listed in the report are given the report. Third party requests and

nonvalidated requests are only considered with supporting documents that can be verified. This is done to protect private information.

Inspection Incorrect Violation – An explanation is given before each request is closed. Where possible, sources are cited. Each outcome explains who the decision maker is by name and title, what information was reviewed, and how the requestor can escalate the review.

Inspection Citation with Associated Violation – If a change is made due to an amendment or dismissal, the request is closed along with an explanation of the court's finding. All charges associated are given a disposition in the response, including those not listed in the request.

Requests for Inspections related to Wrong Driver or Wrong Carrier – An explanation is given before each request is closed. Each outcome explains who the decision maker is by name and title, what information was reviewed, and how they can escalate the review if they choose.

Requests for Inspections Incorrect Information – An explanation is given before each request is closed. Each outcome explains who the decision maker is by name and title, what information was reviewed, and how they can escalate the review if they choose.

Crash Duplicate Record - If the second record appears to be in error, the request is closed with an explanation in the response.

- Closure of RDR

- **Responsible Party:**

- MCSAP Sergeant

- **Process:**

- Inspection Report Request – If the requestor is eligible to receive the report. The Inspection report is uploaded within the request and a response is added. If a requestor is ineligible to receive the report, the request is closed with a reference to FMCSA's policy on information sharing to protect sensitive information.

Each RDR closure with no data change includes the decision maker and title, evidence reviewed, numbered reasons for the denial and how to escalate the review if not satisfied with the result.

Each RDR closure that results in a data change will include the same information and then a request is then sent to a Research Analyst in the Carrier

Enforcement Division who reviews the information and makes the change.

- **Timeliness:**

The Nebraska State Patrol has previously held a Standard Operating Procedure that mirrored the recommendations from FMCSA for timelines related to RDRs. The Nebraska State Patrol has recently updated its SOP to mirror the new recommendations.

The First Level Reviewer will open the request within 7 days. A determination will be made and the request closed within 21 days of the initial request. When change is made, the request will be closed with an explanation. Designated backup personnel that are Sworn Law Enforcement in the Carrier Enforcement Division within the Nebraska State Patrol may be used to ensure timely responses. If additional information is required, the requestor has 14 days to provide the information. Failure to respond will result in an automatic closure of the request.

The requestor will have 30 days to submit a request for reconsideration.

Expected Outcomes for RDR Closures:

Closed—No Data Correction Made: The request has been closed and the data will not be corrected. – Most commonly, when an outcome is considered as No Data Correction Made, the information challenged on report or crash has been verified and proven to be accurate. It can be just as important to respond appropriately, cite sources and offer resources to the requestor. The requestor is required to provide sufficient information and/ or supporting evidence to permit the requested change. Failure to do so may result in a closure with no change made. When this appears to be the likely outcome, the First Level Reviewer will first request information that would support the request made.

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. The fastest result for corrections to inspection and crash data is information that can be verified.

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 court database. The requestor is expected to upload documents that contain the disposition of the case but the First Level Reviewer should verify all court outcomes before entering a result. It may be necessary to call the County Attorney's Office to clarify results. Nebraska has a mandatory non-punitive cost structure associated with all citations. When a charge is dismissed, it may still carry court costs. These costs are regular and considered non-punitive. They will not interfere with a disposition. All dispositions associated with the violations on the inspection are entered, even when not specifically requested.

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 send inspection reports to those eligible to receive them.

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. If a request is submitted from a non-validated, 3rd party or a company not associated with the company, they will be required to submit supporting evidence that can be verified before a report is sent.

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.

Communication:

All communication about the request from the Nebraska State Patrol and the requestor is required to be completed within the DataQs system. This is to provide a clear, transparent and open system that can be saved and reviewed. The Nebraska State Patrol has updated its SOP for RDRs that specifically highlight the requirement to keep communication within the DataQs system.

“All communications about an RDR shall be accomplished in the DataQs system and

should never be done via telephone, email, text, or other communication systems.“ When responding to the requestor, the First Level Reviewer will use a systematic process that includes the use of similar responses to ensure the same process is being followed across each review. An example includes confirming a responsible motor carrier by reviewing video to verify the company name/ USDOT number marked on the vehicle, the driver’s record of duty status saved from the roadside contact, Clearinghouse results, previous inspections and state records.

Next Steps:

Requests with approved data changes are made immediately or as soon as possible. The change will be reflected approximately 2 weeks after FMCSA’s snapshot takes place. The snapshot is a monthly data process to update information within FMCSA systems. After the system updates, company SMS and driver PSP reports will reflect any changes made.

When a request is closed with no change made, a link is provided in the response with information to request for reconsideration. This escalation is the second of three levels of review permitted.

Communication about the request should be completed within the DataQs system but for questions about the process, the requestor may contact the Nebraska State Patrol with the phone number attached to the request - 402-471-0105 – Nebraska State Patrol Carrier Enforcement Division main line. An email is also available for contact at nsp.inspections@nebraska.gov.

Reconsideration Review Process

Roles and Responsibilities

- Person(s) responsible for decision-making for the Reconsideration Review process
 - **Responsible Party:**
MCSAP Lieutenant
 - **Supervisor(s):**
Carrier Enforcement Division Captain
 - **Backups:**
A backup reviewer may be designated by the MCSAP Lieutenant. In line with FMCSA recommendations and Nebraska State Patrol SOP, a backup Second Level Reviewer is required to be a subject matter expert and Sworn Trooper in the Carrier Enforcement Division. This will typically be another Lieutenant or

potentially a Carrier Enforcement Investigator. Both are required to be outside the direct chain of command of the inspector.

- **Interactions:**
<intentionally left blank>
- Person(s) consulted for additional information or evidence
 - **Responsible Party:**
Trooper – The inspecting Trooper will be contacted if necessary to obtain more information or evidence.
 - **Supervisor(s):**
Sergeant – Nebraska State Patrol Field Sergeants are the frontline supervisors to Troopers.
 - **Backups:**
<intentionally left blank>
 - **Interactions:**
<intentionally left blank>
- Person(s) convening a panel or committee
 - **Responsible Party:**
N/A – The Nebraska State Patrol does not convene a panel in the second level of review.
 - **Supervisor(s):**
<intentionally left blank>
 - **Backups:**
<intentionally left blank>
 - **Interactions:**
<intentionally left blank>
 - **Panel members' titles and associations:**
<intentionally left blank>

Escalation Procedures:

The second level review process is only applicable to requests that have received a full review. It would not include requests that are closed due to lack of information or requests reopened without a valid reason. When new information is provided, that will be reviewed at the first level before an escalation is considered. When a second level review is requested the Second Level Reviewer will be notified and they will determine if a review is considered.

Process Description

- Review of RDR

- **Responsible Party:**
MCSAP Lieutenant
- **Process:**
The request will be opened and reviewed. If new information is presented with the request, it will not be considered for second level review. The Second Level Reviewer will respond to the request and the First Level Reviewer will be responsible to review the new information.
- Outcome of RDR
 - **Responsible Party:**
MCSAP Lieutenant
 - **Process:**
The Second Level Reviewer will independently verify all information presented including all videos, state vehicle and court records, hours of service records, inspection history, Clearinghouse results as well as any information provided by the requestor to ensure an independent and impartial review.
- Closure of RDR
 - **Responsible Party:**
MCSAP Lieutenant
 - **Process:**
After a determination is made, a response will be given and the review closed.
When possible, FMCSA DataQs policy, state law, or federal regulation should be cited as appropriate. Information will be provided to request a reconsideration and escalate the review to the third and final level.
- Timeliness:
The Second Level Reviewer will open the request for reconsideration within 7 days. A determination will be made, and the request is closed within 21 days of the request. If additional information is required, the requestor has 14 days to provide the information. Failure to respond will result in an automatic closure of the request. The requestor will have 30 days to submit a request for reconsideration.

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.

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 nonvalidated 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 send inspection reports to those eligible to receive them. 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:

All communication about the request from the Nebraska State Patrol and the requestor is required to be completed within the DataQs system. This is the same across all levels of review. This is to provide a clear, transparent and open system that can be saved and reviewed. The Nebraska State Patrol has updated its SOP for RDRs that specifically highlights the requirement to keep communication within the

DataQs system.

“All communications about an RDR shall be accomplished in the DataQs system and should never be done via telephone, email, text, or other communication systems.”

When responding to the requestor, the Second Level Reviewer should make an attempt to use a systematic process that includes the use of responses that ensures the same process is being followed across each review. A part of the second level review will include using language that is different from the first level even if the outcome is the same.

Next Steps:

Requests with approved data changes are made immediately or as soon as possible. The change will be reflected approximately 2 weeks after FMCSA’s snapshot takes place. The snapshot is a monthly data process to update information within FMCSA systems. After the system updates company SMS and driver PSP reports will reflect any changes made.

When a request is closed with no change made, a link is provided in the response, with information to make a request for reconsideration. The next escalation is the third and final level for review permitted.

Communication about the request should be completed within the DataQs system but for questions about the process the requestor may contact the Nebraska State Patrol with the phone number attached to the request - 402-471-0105 - Nebraska State Patrol Carrier Enforcement Division main line. An email is also available for contact at nsp.inspections@nebraska.gov.

Final Review Process

Roles and Responsibilities

- Person(s) responsible for decision-making for the Final Review process
 - **Responsible Party:**
Carrier Enforcement Division Captain or designee - A Sworn member of the Nebraska State Patrol in the Carrier Enforcement Division that is considered a subject matter expert.

At least 3 members of the commercial vehicle industry. The 3 members of the commercial vehicle industry should be determined by requesting

assistance from the Nebraska Trucking Association and should include an officer from the association and 2 at large members of the Association.

- **Supervisor(s):**

Carrier Enforcement Division Captain's supervisor is the Patrol Division West Major for the Nebraska State Patrol.

The Nebraska Trucking Association is ran by the President and Chief Executive Officer designated by the board of directors.

- **Backups:**

<intentionally left blank>

- **Interactions:**

<intentionally left blank>

- Person(s) consulted for additional information or evidence

- **Responsible Party:**

Trooper – The inspecting Trooper will be contacted if necessary to obtain more information or evidence.

- **Supervisor(s):**

Sergeant – Nebraska State Patrol Field Sergeants are the frontline supervisors to Troopers.

- **Backups:**

<intentionally left blank>

- **Interactions:**

<intentionally left blank>

- Person(s) convening a panel or committee

- **Responsible Party:**

Carrier Enforcement Division Captain or designee.

A Sworn member of the Nebraska State Patrol in the Carrier Enforcement Division that is considered a subject matter expert. The chosen person will be outside the direct chain of command of the inspector.

At least 3 members of the commercial vehicle industry. The 3 members of the commercial vehicle industry should be determined by requesting assistance from the Nebraska Trucking Association and should include an officer from the Association and 2 at large members of the Association. Utilizing relationships within the trucking industry provides an impartial and independent review.

- **Supervisor(s):**

- <intentionally left blank>
 - **Backups:**
<intentionally left blank>
 - **Interactions:**
<intentionally left blank>
 - **Panel members' titles and associations:**
<intentionally left blank>

Escalation Procedures:

The final review process is only applicable to requests that have received a full review and have been escalated from the first and second level of review. It would not include requests that are closed due to lack of information or requests reopened without a valid reason.

When new information is provided that will be reviewed at the first level before an escalation is considered. When a final level review is requested The Division Captain will be notified and they will determine if a review is considered.

Process Description

- Review of RDR
 - **Responsible Party:**
Carrier Enforcement Division Captain or designee
 - **Process:**
The request will be opened and reviewed. If new information is presented with the request, it will not be considered for the final level review. The Carrier Enforcement Division Captain or designee will respond to the request and the First Level Reviewer will be responsible to review the new information.
- Outcome of RDR
 - **Responsible Party:**
Carrier Enforcement Division Captain or designee
 - **Process:**
The final level review will independently verify all information presented including all videos, state vehicle and court records, hours of service records, inspection history, Clearinghouse results as well as any information provided by the requestor to ensure an independent and impartial review.
- Closure of RDR
 - **Responsible Party:**
Carrier Enforcement Division Captain or designee
 - **Process:**

After a determination is made, a response will be given and the review closed.

Notification will also be made to the Nebraska FMCSA Division Office. When possible, FMCSA DataQs policy, state law, or federal regulation should be cited as appropriate. Information will be provided to the requestor that the decision is final, and no further escalation is possible.

- **Timeliness:**

A review council should review the request and render a decision within 30 days of the request being made. The requestor shall be informed that this final request will be evaluated by the review council, and that the findings of the council are final and nonnegotiable. The user will also be informed that no new evidence will be accepted by the review council.

Expected Outcomes for RDR Closures:

Closed—No Data Correction Made: The request has been closed, and the data will not be corrected. – All previous level correspondence is reviewed along with an independent review of all supporting evidence. If a determination is made that renders the decision, the requestor will be notified and actions taken by the review council will be recorded. Minutes of the meeting will be made available to the requestor. Evidence gathered by law enforcement during the stop, including video or audio recording, which is reviewed as part of this process, shall not be disseminated unless authorized as part of a FOIA request to the agency.

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 will be offered to the requestor. The requestor will be notified and actions taken by the review council will be recorded. Minutes of the meeting will be made available to the requestor. Evidence gathered by law enforcement during the stop, including video or audio recording, which is reviewed as part of this process, shall not be disseminated unless authorized as part of a FOIA request to the agency.

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 court database. The final level of review may include the inclusion of the Nebraska State Patrol's Legal Division. The requestor will be notified and actions taken by the review council will be recorded. Minutes of the meeting will be made available to the requestor. Evidence gathered by law enforcement during the stop, including video or audio recording, which is reviewed as part of this process, shall not be

disseminated unless authorized as part of a FOIA request to the agency.

Closed—Report Not Sent: The request has been closed, but the requested inspection report was not sent. – The review council will reach a majority decision on the party(s) eligible to receive the inspection report. The requestor will be notified and actions taken by the review council will be recorded. Minutes of the meeting will be made available to the requestor. Evidence gathered by law enforcement during the stop, including video or audio recording, which is reviewed as part of this process, shall not be disseminated unless authorized as part of a FOIA request to the agency.

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. – The requestor will be notified and actions taken by the review council will be recorded. Minutes of the meeting will be made available to the requestor. Evidence gathered by law enforcement during the stop, including video or audio recording, which is reviewed as part of this process, shall not be disseminated unless authorized as part of a FOIA request to the agency.

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.

Communication:

All communication about the request from the Nebraska State Patrol and the requestor is required to be completed within the DataQs system. This is the same across all levels of review. This is to provide a clear, transparent and open system that can be saved and reviewed. The Nebraska State Patrol has updated its SOP for RDRs that specifically highlights the requirement to keep communication within the DataQs system.

“All communications about an RDR shall be accomplished in the DataQs system and should never be done via telephone, email, text, or other communication systems.”

When responding to the requestor, the review council will use agreed upon language that is separate and distinct from previous review levels.

Next Steps:

Requests with approved data changes are made immediately or as soon as possible. The change will be reflected approximately 2 weeks after FMCSA’s snapshot takes place. The snapshot is a monthly data process to update information within FMCSA systems. After the

system updates company SMS and driver PSP reports will reflect any changes made.

When a request is closed with no change made the decision is final and no reconsideration is possible.

Communication about the request should be completed within the DataQs system but for questions about the process the requestor may contact the Nebraska State Patrol with the phone number attached to the request - 402-471-0105 - the Nebraska State Patrol Carrier Enforcement Division main line. An email is also available for contact at nsp.inspections@nebraska.gov.