

DataQs State Implementation Plan



State of Nevada

**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 State of Nevada.

DataQs State Implementation Plan

State: State of Nevada

MCSAP Lead Agency: Nevada Highway Patrol, Nevada Department of Public Safety

The Nevada Highway Patrol is the State motor vehicle safety agency designated by the Governor of Nevada and is responsible for administering the Commercial Vehicle Safety Plan (CVSP) and Motor Carrier Safety Assistance Program (MCSAP) within the State.

Initial Review Process

Roles and Responsibilities

- Persons responsible for managing DataQs for the organization
 - **Responsible Party:**
Administrative Assistant IV/PO2 (Data Quality Manager)
 - **Supervisor(s):**
MCSAP Commander (Lieutenant), MCSAP Sergeant, or Higher Rank as Designated by Nevada Highway Patrol
 - **Backups:**
Administrative Assistant II – Northern Region
Administrative Assistant II – Southern Region
Administrative Assistant II – Rural Region
MCSAP Administrative Assistant II
 - **Interactions:**
The Administrative Assistant IV/PO2 (Data Quality Manager) is responsible for coordinating and managing Requests for Data Review (RDRs) received through the DataQs system. Responsibilities include assigning requests to appropriate reviewers, monitoring timeliness requirements, tracking status updates, maintaining records, ensuring compliance with FMCSA DataQs requirements, and coordinating communication between reviewers and requestors.
The Data Quality Manager routinely interacts with Nevada Highway Patrol personnel, Judicial Outreach / MCSAP / Industry Training and Education (JOP) personnel, FMCSA Division personnel, court officials, prosecutors, DMV personnel, motor carriers, and other governmental agencies as necessary to obtain records, coordinate reviews, and facilitate accurate
- Person(s) responsible for decision-making for the Initial Review process

- **Responsible Party:**
Regional Judicial Outreach / MCSAP / Industry Training and Education (JOP) Officer
- **Supervisor(s):**
Judicial Outreach / MCSAP / Industry Training and Education Supervising Officer (Sergeant)
MCSAP Commander (Lieutenant), MCSAP Sergeant, or Higher Rank as Designated by Nevada Highway Patrol
- **Backups:**
Alternate Regional Judicial Outreach / MCSAP / Industry Training and Education (JOP) Officer
- **Interactions:**
The assigned Regional Judicial Outreach / MCSAP / Industry Training and Education (JOP) Officer conducts the Initial Review of DataQs requests and evaluates all available evidence and supporting documentation. The JOP Officer may communicate with inspection officers, crash investigators, court officials, prosecutors, DMV personnel, FMCSA personnel, motor carriers, and other subject matter experts as necessary to obtain information relevant to the request and ensure an accurate determination.
- Person(s) consulted for additional information or evidence
 - **Responsible Party:**
Judicial Outreach / MCSAP / Industry Training and Education Supervising Officer (Sergeant)
MCSAP Commander (Lieutenant), MCSAP Sergeant, or Higher Rank as Designated by Nevada Highway Patrol
Inspection Officers Crash Investigators Court Personnel
FMCSA Division Personnel (Clarifications) DMV Personnel (System)
Administrative Assistant II – Northern Region
Administrative Assistant II – Southern Region
Administrative Assistant II – Rural Region
MCSAP Administrative Assistant II
Administrative Assistant IV/PO2 (Data Quality Manager)
 - **Supervisor(s):**
MCSAP Commander (Lieutenant), MCSAP Sergeant, or Higher Rank as Designated by Nevada Highway Patrol
 - **Backups:**
Designated Supervisory Personnel as Assigned
le: Administrative Assistant IV/PO2 (Data Quality Manager), MCSAP

Commander (Lieutenant), MCSAP Sergeant, or Higher Rank as Designated by Nevada Highway Patrol, and/or Alternate Judicial Outreach / MCSAP / Industry Training and Education Supervising Officer

- **Interactions:**

These individuals may be consulted to provide clarification, supporting documentation, court dispositions, crash reports, inspection reports, regulatory guidance, or other information necessary to ensure a complete and accurate review of the Request for Data Review. Consultation may occur with FMCSA personnel, courts, prosecutors, DMV representatives, law enforcement agencies, and other governmental entities as necessary.

Process Description

- Receipt of RDR

- **Responsible Party:**

Regional/MCSAP Administrative Assistant II and/or Administrative Assistant IV/PO2 (Data Quality Manager)

- **Process:**

Upon receipt of a Request for Data Review (RDR) through the FMCSA DataQs system, the Administrative Assistant IV/PO2 (Data Quality Manager) will review the request for completeness and identify the type of request submitted.

The Administrative Assistant II and/or IV/PO2 (Data Quality Manager) will verify that all available supporting documentation has been received and will assign the RDR to the appropriate Regional Judicial Outreach / MCSAP / Industry Training and Education (JOP) Officer for Initial Review.

The Administrative Assistant IV/PO2 (Data Quality Manager) will monitor the request throughout the review process, maintain tracking records, monitor timeliness requirements, and coordinate communications as necessary.

All Initial Review requests will be opened within seven (7) calendar days of submission.

- Review of RDR

- **Responsible Party:**

For all RDR's except Citation related adjudications - Regional Judicial Outreach / MCSAP / Industry Training and Education (JOP) Officer or designated alternate.

Citation related Adjudications - Administrative Assistant IV/PO2 (Data Quality Manager) or designated alternate.

- **Process:**

The assigned Regional Judicial Outreach / MCSAP / Industry Training and Education (JOP) Officer will conduct an independent review of the request and all available supporting documentation.

- 1) The reviewer will evaluate applicable inspection reports, crash reports, citations, court dispositions, carrier-submitted evidence, photographs, videos, body-worn camera recordings, dispatch records, DMV records, applicable regulations, and any other available evidence relevant to the request.
- 2) The reviewer may consult with inspection officers, crash investigators, court personnel, FMCSA Division personnel, DMV personnel, supervisors, prosecutors, or other subject matter experts as necessary.
- 3) If additional information is needed, the reviewer may request supplemental documentation through the DataQs system. The requestor will be provided with fourteen (14) calendar days to respond.
- 4) For inspection-related RDRs, the reviewer will evaluate inspection documentation, supporting evidence, applicable regulations, and any adjudicated citation information.
- 5) For crash-related RDRs, the reviewer will evaluate crash reports, supporting documentation, law enforcement records, photographs, and other available evidence.
- 6) If new evidence is submitted after a request has been reviewed, the request will be returned to the Initial Review process for evaluation.
- 7) For citation-related RDRs, the reviewer (Administrative Assistant IV/PO2 (Data Quality Manager)) will evaluate citation records, court dispositions, adjudication documentation, and applicable regulations.

- Outcome of RDR

- **Responsible Party:**

- Regional Judicial Outreach / MCSAP / Industry Training and Education (JOP) Officer or Administrative Assistant IV/PO2 (Data Quality Manager)

- **Process:**

- After completing the review, the Regional Judicial Outreach / MCSAP / Industry Training and Education (JOP) Officer will prepare a written determination. The determination will identify the evidence reviewed, applicable regulations or policies considered, findings, and the basis for the decision.

The reviewer will determine whether corrective action is warranted and will recommend the appropriate DataQs disposition.

When a determination results in Closed—No Data Correction Made, the written response will include the decision-maker's name and title, evidence reviewed, decision reached, specific reasons supporting the decision, and information regarding appeal rights and next steps.

The reviewer will provide the completed determination to the Administrative Assistant II and/or IV/PO2 (Data Quality Manager) for processing and closure.

- Closure of RDR

- **Responsible Party:**

- Regional Administrative Assistant II and/or Administrative Assistant IV/PO2 (Data Quality Manager)

- **Process:**

- Upon receipt of the completed Initial Review determination, the Regional Administrative Assistant II and/or Administrative Assistant IV/PO2 (Data Quality Manager) will review the documentation for completeness and ensure all required information has been included.

- The Regional Administrative Assistant II and/or Administrative Assistant IV/PO2 (Data Quality Manager) will update the DataQs system, issue the appropriate response to the requestor, record the disposition, and ensure all supporting documentation is maintained in accordance with applicable record retention requirements.

- The Regional Administrative Assistant II and/or Administrative Assistant IV/PO2 (Data Quality Manager) will monitor any subsequent requests for Reconsideration Review and ensure all future actions are completed within applicable FMCSA timelines.

- Timeliness:

Initial Review requests will be opened within seven (7) calendar days of submission. Initial Review determinations will be completed and communicated within twenty-one (15-21) calendar days of submission.

Requestors will be provided with fourteen (14) calendar days to respond to requests for additional information.

Review timelines will be suspended during the requestor's fourteen (14) day response period as permitted by FMCSA requirements.

If a requestor fails to respond within fourteen (14) calendar days, the request may be closed as Closed—No Requestor Response unless sufficient information exists to make a determination.

Timeliness will be monitored by the Administrative Assistant IV/PO2 (Data Quality

Manager).

Open requests will be reviewed regularly to prevent backlogs and ensure compliance with FMCSA requirements.

Expected Outcomes for RDR Closures:

Closed—No Data Correction Made

This outcome is used when the Initial Review determines that the existing record is accurate and supported by the available evidence. The reviewer concludes that the requestor has not provided sufficient evidence to justify correction or removal of the challenged data. The determination is based upon applicable Federal Motor Carrier Safety Regulations (FMCSRs), State regulations, inspection reports, crash reports, court records, adjudication records, carrier-submitted evidence, and any other relevant documentation reviewed during the Initial Review process.

Closed—Data Correction Made

This outcome is used when the Initial Review determines that a correction to the challenged record is warranted. The reviewer concludes that sufficient evidence exists to support modifying, correcting, or removing data contained within the challenged record. Corrections may result from documentation errors, incorrect carrier associations, adjudicated citation outcomes, inaccurate inspection information, or other verified inaccuracies identified during the review process.

Closed—Citation Results Entered

This outcome is used when adjudicated citation information becomes available and must be entered or appended to the challenged record. The reviewer verifies the disposition through court documentation or other official records and updates the record in accordance with FMCSA policies and procedures.

Closed—Report Not Sent

This outcome is used when a requestor asks for a copy of a report and Nevada Highway Patrol is unable to provide the requested report. Reasons may include records retention limitations, unavailable records, legal restrictions, or circumstances where the requested report is not maintained by Nevada Highway Patrol.

Closed—Report Sent

This outcome is used when Nevada Highway Patrol provides the requested report to the requestor. Reports may be provided through DataQs, electronic mail, postal mail, or other approved methods as appropriate.

Closed—No Requestor Response

This outcome is used when Nevada Highway Patrol requests additional information from the requestor and the requestor fails to provide the requested information within the

allotted fourteen (14) calendar day response period. If sufficient information exists to make a determination, Nevada Highway Patrol may proceed with a substantive review instead of issuing this closure.

Closed—Insufficient Information

This outcome is used when the request does not contain sufficient information to allow a meaningful review and the available documentation does not support a substantive determination. This closure does not constitute a decision on the merits of the request and may be reconsidered if additional supporting documentation becomes available.

Communication:

Nevada Highway Patrol will utilize the FMCSA DataQs system as the primary method of communication with Request for Data Review (RDR) submitters.

All official communications regarding receipt, requests for additional information, status updates, review outcomes, and appeal rights will be documented within the DataQs system.

The Administrative Assistant IV/PO2 (Data Quality Manager) will monitor communications to ensure timely responses and compliance with FMCSA requirements.

When additional information is needed, Nevada Highway Patrol will communicate the specific information required and provide the requester with fourteen (14) calendar days to respond.

When a determination is made, the response will include the applicable outcome, a summary of the decision, and any available next-step instructions.

For closures resulting in Closed—No Data Correction Made, the response will include the decision-maker's name and title, evidence reviewed, decision reached, specific reasons supporting the decision, and instructions regarding available appeal options.

Nevada Highway Patrol utilizes standardized response language whenever appropriate to promote consistency, transparency, and quality throughout the review process while allowing reviewers to provide case-specific explanations as needed.

Next Steps:

Following closure of an Initial Review, the requestor will receive notification through the DataQs system identifying the outcome of the review and any actions taken.

If the outcome is Closed—Data Correction Made, Nevada Highway Patrol will coordinate any necessary updates or corrections in accordance with FMCSA procedures and applicable system requirements.

If the outcome is Closed—Citation Results Entered, the appropriate citation disposition information will be entered or updated in accordance with FMCSA policy.

If the outcome is Closed—Report Sent, the requestor will receive the requested report

through an approved delivery method.

If the outcome is Closed—No Data Correction Made, the requestor will be provided information regarding the Reconsideration Review process and applicable appeal timelines.

If the outcome is Closed—No Requestor Response or Closed—Insufficient Information, the requestor may submit additional information through the DataQs process as permitted by FMCSA requirements.

Questions regarding the review process may be directed through the DataQs system or to Nevada Highway Patrol's designated Point of Contact: Administrative Assistant IV/PO2 (Data Quality Manager) and/or Judicial Outreach / MCSAP / Industry Training and Education Supervising Officer (Sergeant) and/or MCSAP Commander (Lieutenant), MCSAP Sergeant, or Higher Rank as Designated by Nevada Highway Patrol

Reconsideration Review Process

Roles and Responsibilities

- Person(s) responsible for decision-making for the Reconsideration Review process
 - **Responsible Party:**
Alternate Regional Judicial Outreach / MCSAP / Industry Training and Education (JOP) Officer
 - **Supervisor(s):**
Judicial Outreach / MCSAP / Industry Training and Education Supervising Officer (Sergeant) and/or MCSAP Commander (Lieutenant), MCSAP Sergeant, or Higher Rank as Designated by Nevada Highway Patrol
 - **Backups:**
Alternate Independent Regional Judicial Outreach / MCSAP / Industry Training and Education (JOP) Officer and/or Judicial Outreach / MCSAP / Industry Training and Education Supervising Officer (Sergeant) and/or MCSAP Commander (Lieutenant), MCSAP Sergeant, or Higher Rank as Designated by Nevada Highway Patrol and/or Administrative Assistant IV/PO2 (Data Quality Manager)
 - **Interactions:**
The Independent Regional Judicial Outreach / MCSAP / Industry Training and Education (JOP) Officer conducts the Reconsideration Review and shall not be the same individual who conducted the Initial Review. The reviewer independently evaluates all available evidence, documentation, and prior determinations.

The reviewer may communicate with inspection officers, crash investigators, court officials, prosecutors, DMV personnel, FMCSA personnel, motor carriers, and other subject matter experts as necessary to obtain information relevant to the request and ensure an impartial and independent review.

The reviewer shall not be the issuing officer or inspector, nor the immediate supervisor of the issuing officer or inspector.

- Person(s) consulted for additional information or evidence
 - **Responsible Party:**
Inspection Officers - NHP
Crash Investigators - NHP
Court Personnel (systems)
FMCSA Division Personnel (clarifications) DMV Personnel (systems)
Administrative Assistant IV/PO2 (Data Quality Manager) (additional documentation)
Regional Administrative Assistant II (additional documentation)
 - **Supervisor(s):**
MCSAP Commander (Lieutenant), MCSAP Sergeant, or Higher Rank as Designated by Nevada Highway Patrol
 - **Backups:**
Designated Supervisory Personnel as Assigned
 - **Interactions:**
These individuals may be consulted to provide clarification, supporting documentation, court dispositions, crash reports, inspection reports, regulatory guidance, or other information necessary to ensure a complete and accurate Reconsideration Review.
Consultation may occur with FMCSA personnel, courts, prosecutors, DMV representatives, law enforcement agencies, and other governmental entities as necessary.

All consultations are advisory in nature and do not replace the independent judgment of the assigned Reconsideration Reviewer.

- Person(s) convening a panel or committee
 - **Responsible Party:**
Administrative Assistant IV/PO2 (Data Quality Manager), Regional Judicial Outreach / MCSAP / Industry Training and Education (JOP) Officer, Independent Regional Judicial Outreach / MCSAP / Industry Training and Education (JOP) Officer or designated alternate. Judicial Outreach / MCSAP / Industry Training and Education Supervising Officer (Sergeant)

- **Supervisor(s):**
MCSAP Commander (Lieutenant), MCSAP Sergeant, or Higher Rank as Designated by Nevada Highway Patrol
- **Backups:**
Administrative Assistant II – Northern Region
Administrative Assistant II – Southern Region
Administrative Assistant II – Rural Region
MCSAP Administrative Assistant II
Administrative Assistant IV/PO2 (Data Quality Manager)
MCSAP Commander (Lieutenant), MCSAP Sergeant, or Higher Rank as Designated by Nevada Highway Patrol
- **Interactions:**
The Administrative Assistant IV/PO2 (Data Quality Manager) may convene a review panel when additional review, subject matter expertise, or supervisory input is necessary. The Data Quality Manager coordinates scheduling, documentation, communication, and record retention associated with panel reviews.
The Administrative Assistant IV/PO2 (Data Quality Manager) or designated alternate may coordinate with Sworn/Civilian Nevada Highway Patrol personnel, FMCSA personnel, court representatives, DMV personnel, and other governmental agencies as necessary to facilitate the review process as needed.
- **Panel members' titles and associations:**
Administrative Assistant IV/PO2 (Data Quality Manager)

Regional/Alternate/Independent Judicial Outreach / MCSAP / Industry Training and Education (JOP) Officer

Independent Regional Judicial Outreach / MCSAP / Industry Training and Education (JOP) Officer

Judicial Outreach / MCSAP / Industry Training and Education Supervising Officer (Sergeant)

Administrative Assistant II's as needed.

MCSAP Commander (Lieutenant), MCSAP Sergeant, or Higher Rank as Designated by Nevada Highway Patrol

Panel members serve in an advisory capacity and provide independent review and subject matter expertise. Panel participation does not replace the requirement that Reconsideration Reviews be conducted independently from the Initial Review process.

Escalation Procedures:

A Request for Data Review (RDR) may be escalated to the Reconsideration Review process when the requestor disagrees with the Initial Review determination and submits a request for Reconsideration through the DataQs system within thirty (30) calendar days of the Initial Review decision.

The Reconsideration Review process is intended to provide an independent review of the Initial Review determination.

The Reconsideration Reviewer shall not be the same individual who conducted the Initial Review and shall not be the issuing officer or inspector, nor the immediate supervisor of the issuing officer or inspector.

The Administrative Assistant IV/PO2 (Data Quality Manager) will review the request for Reconsideration and assign it to an Independent Regional Judicial Outreach / MCSAP / Industry Training and Education (JOP) Officer.

Requests that do not include new evidence and are submitted within the allowable appeal period will generally be eligible for Reconsideration Review.

Requests that contain newly submitted evidence, documentation, court records, adjudication information, photographs, videos, or other information that was not available during the Initial Review will be returned to the Initial Review process for evaluation. The newly submitted information will be reviewed by the appropriate Regional Judicial Outreach / MCSAP / Industry Training and Education (JOP) Officer before any further appeal consideration occurs.

Requests closed as Closed—No Requestor Response may be reopened at the level at which they were closed if the requestor subsequently provides the requested information. Such requests will not automatically advance to the next level of review.

Requests closed as Closed—Insufficient Information may be reconsidered if additional

information is provided that allows a meaningful review of the request.

If a request does not meet the requirements for Reconsideration Review, the requestor will be notified through the DataQs system and provided information regarding any available options for resubmission or additional documentation.

Nevada Highway Patrol will utilize standardized communication templates through the DataQs system whenever practical to ensure consistent communication regarding appeal eligibility, review status, requests for additional information, and review outcomes.

Process Description

- Review of RDR
 - **Responsible Party:**
Independent/Alternate Regional Judicial Outreach / MCSAP / Industry Training and Education (JOP) Officer and/or Administrative Assistant IV/PO2 (Data Quality Manager)
 - **Process:**
Upon assignment by the Administrative Assistant II or IV/PO2 (Data Quality Manager), the Independent Regional Judicial Outreach / MCSAP / Industry Training and Education (JOP) Officer will conduct an independent review of the Request for Data Review (RDR), all documentation reviewed during the Initial Review, and any additional information submitted by the requestor.

The Reconsideration Reviewer shall not be the same individual who conducted the Initial Review and shall not be the issuing officer or inspector, nor the immediate supervisor of the issuing officer or inspector.

The reviewer will evaluate inspection reports, crash reports, citations, court dispositions, carrier-submitted evidence, photographs, videos, body-worn camera recordings, dispatch records, DMV records, applicable regulations, and any other information relevant to the request.

The reviewer may consult with inspection officers, crash investigators, court personnel, DMV personnel, FMCSA personnel, prosecutors, supervisors, or other subject matter experts as necessary to ensure a complete and accurate review.

If additional information is required, the reviewer may request supplemental

documentation through the DataQs system. The requestor will be provided fourteen (14) calendar days to respond.

For inspection-related RDRs, the reviewer will evaluate inspection documentation, supporting evidence, applicable regulations, and any adjudicated citation information.

For crash-related RDRs, the reviewer will evaluate crash reports, supporting documentation, law enforcement records, photographs, and other available evidence.

For citation-related RDRs, the reviewer will evaluate citation records, court dispositions, adjudication documentation, and applicable regulations.

- Outcome of RDR

- **Responsible Party:**

- Independent Regional Judicial Outreach / MCSAP / Industry Training and Education (JOP) Officer or Administrative Assistant IV/PO2 (Data Quality Manager)

- **Process:**

- After completing the Reconsideration Review, the Independent Regional Judicial Outreach / MCSAP / Industry Training and Education (JOP) Officer will prepare a written determination.

- The determination will identify the evidence reviewed, applicable regulations or policies considered, findings, and the basis for the decision.

- The reviewer will determine whether the Initial Review decision should be upheld, modified, or reversed.

If the reviewer determines that corrective action is warranted, the reviewer will recommend the appropriate corrective action and DataQs disposition.

When a determination results in Closed—No Data Correction Made, the written response will include the decision-maker's name and title, evidence reviewed, decision reached, specific reasons supporting the decision, and information regarding Final Review appeal rights and next steps.

The reviewer will provide the completed determination to the Administrative Assistant II or IV/PO2 (Data Quality Manager) for processing and closure.

- Closure of RDR

- **Responsible Party:**

Administrative Assistant II or IV/PO2 (Data Quality Manager)

- **Process:**

Upon receipt of the completed Reconsideration Review determination, the Administrative Assistant II and/or IV/PO2 (Data Quality Manager) will review the documentation for completeness and ensure all required information has been included.

The Administrative Assistant II and/or IV/PO2 (Data Quality Manager) will update the DataQs system, issue the appropriate response to the requestor, record the disposition, and ensure all supporting documentation is maintained in accordance with applicable record retention requirements.

The Administrative Assistant II and/or IV/PO2 (Data Quality Manager) will monitor any subsequent requests for Final Review and ensure all future actions are completed within applicable FMCSA timelines.

If corrective action is required, Administrative Assistant II and/or IV/PO2 (Data Quality Manager) will coordinate with the appropriate personnel to ensure required updates are completed.

- **Timeliness:**

Requests for Reconsideration Review must be submitted within thirty (30) calendar days of the Initial Review determination.

Reconsideration Review assignments will be made as soon as practical following receipt of the request.

Reconsideration Review determinations will be completed and communicated within twenty-one (21) calendar days.

Requestors will be provided with fourteen (14) calendar days to respond to requests for additional information.

Review timelines will be suspended during the requestor's fourteen (14) day response period as permitted by FMCSA requirements.

If a requestor fails to respond within fourteen (14) calendar days, the request may be closed as Closed—No Requestor Response unless sufficient information exists to make a determination.

Timeliness will be monitored by the Administrative Assistant II and/or IV/PO2 (Data Quality Manager).

Open requests will be reviewed regularly to prevent backlogs and ensure compliance with FMCSA requirements.

Expected Outcomes for RDR Closures:

Closed—No Data Correction Made

This outcome is used when the Reconsideration Review determines that the Initial Review decision was correct and supported by the available evidence. The Independent Regional Judicial Outreach / MCSAP / Industry Training and Education (JOP) Officer concludes that the existing record is accurate and that the requestor has not provided sufficient evidence to justify a correction or removal of the challenged data.

The reviewer will independently evaluate all available evidence, documentation, applicable regulations, and findings from the Initial Review before determining whether to uphold the original decision.

The Initial Review determination will be upheld when the available evidence supports the accuracy of the challenged record, and no basis exists for corrective action.

Closed—Data Correction Made

This outcome is used when the Reconsideration Review determines that the Initial Review decision should be modified or reversed based upon the available evidence.

The reviewer concludes that sufficient evidence exists to support modifying, correcting, or removing data contained within the challenged record.

The Initial Review determination will not be upheld when documentation, adjudicated citation outcomes, regulatory requirements, or other verified evidence demonstrates that corrective action is warranted.

Closed—Citation Results Entered

This outcome is used when adjudicated citation information becomes available and must be entered or appended to the challenged record.

The reviewer verifies the disposition through court documentation or other official records and ensures the record is updated in accordance with FMCSA policies and procedures.

The Initial Review determination may be modified when official adjudication records support a different outcome.

Closed—Report Not Sent

This outcome is used when a requestor asks for a copy of a report and Nevada Highway Patrol is unable to provide the requested report.

Reasons may include records retention limitations, unavailable records, legal restrictions, or circumstances where the requested report is not maintained by Nevada Highway Patrol.

The Initial Review determination will generally be upheld when the inability to provide the requested report is supported by applicable laws, policies, or record availability.

Closed—Report Sent

This outcome is used when Nevada Highway Patrol provides the requested report to the requestor. Reports may be provided through DataQs, electronic mail, postal mail, or other approved methods as appropriate.

The Initial Review determination may be modified if providing the requested report resolves the basis for the appeal.

Closed—No Requestor Response

This outcome is used when Nevada Highway Patrol requests additional information from the requestor and the requestor fails to provide the requested information within the allotted fourteen (14) calendar day response period.

If sufficient information exists to make a determination, Nevada Highway Patrol may proceed with a substantive review instead of issuing this closure.

The Initial Review determination may be upheld when the available evidence supports the original decision, and no additional information is received.

Closed—Insufficient Information

This outcome is used when the request does not contain sufficient information to allow a meaningful review and the available documentation does not support a substantive determination.

This closure does not constitute a decision on the merits of the request and may be reconsidered if additional supporting documentation becomes available.

The Initial Review determination may be upheld when insufficient evidence exists to support modification of the challenged record.

Nevada Highway Patrol will determine whether to uphold, modify, or reverse an Initial Review determination by conducting an independent evaluation of all available evidence, applicable regulations, court records, adjudication documentation, inspection reports, crash reports, and any newly submitted information.

The Reconsideration Reviewer shall independently assess the merits of the request and is not bound by the Initial Review determination. Decisions will be based solely upon the facts, evidence, and applicable laws and regulations relevant to the request.

Communication:

Nevada Highway Patrol will utilize the FMCSA DataQs system as the primary method of communication with Request for Data Review (RDR) submitters during the Reconsideration Review process.

All official communications regarding receipt, requests for additional information, status updates, review outcomes, and appeal rights will be documented within the DataQs system.

The Administrative Assistant IV/PO2 (Data Quality Manager) will monitor communications to ensure timely responses and compliance with FMCSA requirements.

When additional information is needed, Nevada Highway Patrol will communicate the specific information required and provide the requestor fourteen (14) calendar days to respond.

When a determination is made, the response will include the applicable outcome, a summary of the decision, and any available next-step instructions.

For closures resulting in Closed—No Data Correction Made, the response will include the decision-maker's name and title, evidence reviewed, decision reached, specific reasons supporting the decision, and instructions regarding available Final Review appeal options. Nevada Highway Patrol utilizes standardized response language whenever appropriate to promote consistency, transparency, and quality throughout the review process while allowing reviewers to provide case-specific explanations as needed.

All communications associated with the Reconsideration Review process will be retained in accordance with applicable record retention requirements.

Next Steps:

Following closure of a Reconsideration Review, the requestor will receive notification through the DataQs system identifying the outcome of the review and any actions taken. If the outcome is Closed—Data Correction Made, Nevada Highway Patrol will coordinate any necessary updates or corrections in accordance with FMCSA procedures and applicable system requirements.

If the outcome is Closed—Citation Results Entered, the appropriate citation disposition information will be entered or updated in accordance with FMCSA policy.

If the outcome is Closed—Report Sent, the requestor will receive the requested report through an approved delivery method.

If the outcome is Closed—No Data Correction Made, the requestor will be provided information regarding the Final Review process and applicable appeal timelines.

If the outcome is Closed—No Requestor Response or Closed—Insufficient Information, the requestor may submit additional information through the DataQs process as permitted by FMCSA requirements.

Questions regarding the review process may be directed through the DataQs system or to Nevada Highway Patrol's designated main Point of Contact: Nevada.CVE@dps.state.nv.us and will be relayed to the appropriate officer and/or designated JOP and/or supervisor by the MCSAP Administrative Assistant II and/or IV/PO2 (Data Quality Manager).

Final Review Process

Roles and Responsibilities

- Person(s) responsible for decision-making for the Final Review process
 - **Responsible Party:**
Regional/Alternate/Independent Judicial Outreach / MCSAP / Industry Training and Education (JOP) Officer and/or Administrative Assistant IV/PO2 (Data Quality Manager) and/or Alternate/Independent Regional Judicial Outreach / MCSAP / Industry Training and Education (JOP) Officer and/or Judicial Outreach / MCSAP / Industry Training and Education Supervising Officer (Sergeant)
 - **Supervisor(s):**
MCSAP Commander (NHP LT, or Higher Command)
 - **Backups:**
MCSAP Commander (Lieutenant), MCSAP Sergeant, or Higher Rank as Designated by Nevada Highway Patrol command

Designated Supervisory Personnel as Assigned

- **Interactions:**

Judicial Outreach / MCSAP / Industry Training and Education Supervising Officer (Sergeant) and/or Administrative Assistant IV/PO2 (Data Quality Manager) and/or MCSAP Commander (LT or higher rank) serve as the Final Review decision-makers and conduct an independent review of the Request for Data Review (RDR).

The Final Reviewer shall not be the individual who conducted the Initial Review or Reconsideration Review and shall not be the issuing officer or inspector, nor the immediate supervisor of the issuing officer or inspector.

The Final Reviewer may communicate with inspection officers, crash investigators, court officials, prosecutors, DMV personnel, FMCSA personnel, motor carriers, legal counsel, and other subject matter experts as necessary to obtain information relevant to the request and ensure an impartial and independent review.

The Final Reviewer is responsible for issuing Nevada Highway Patrol's final determination regarding the challenged record.

- Person(s) consulted for additional information or evidence

- **Responsible Party:**

Judicial Outreach / MCSAP / Industry Training and Education Supervising Officer (Sergeant)

MCSAP Commander (Lieutenant), MCSAP Sergeant, or Higher Rank as Designated by Nevada Highway Patrol

Inspection Officers (NHP) Crash Investigators (NHP)

Court Personnel (Systems)

FMCSA Division Personnel (Confirmations)

DMV Personnel (Systems)

Legal Counsel, when necessary (AG's office when/if applicable)

MCSAP Administrative Assistant II and/or IV/PO2 (Data Quality Manager).
(Documentation)

- **Supervisor(s):**

MCSAP Commander (Lieutenant), MCSAP Sergeant, or Higher Rank as Designated by Nevada Highway Patrol

- **Backups:**

Designated Supervisory Personnel as Assigned

- **Interactions:**

These individuals may be consulted to provide clarification, supporting documentation, court dispositions, crash reports, inspection reports, legal guidance, regulatory guidance, or other information necessary to ensure a complete and accurate Final Review.

Consultation may occur with FMCSA personnel, courts, prosecutors, DMV representatives, law enforcement agencies, legal counsel, and other governmental entities as necessary.

All consultations are advisory in nature and do not replace the independent judgment of the assigned Final Reviewer.

- Person(s) convening a panel or committee

- **Responsible Party:**

Administrative Assistant II and/or Judicial Outreach / MCSAP / Industry Training and Education Supervising Officer (Sergeant)

- **Supervisor(s):**

MCSAP Commander (Lieutenant), MCSAP Sergeant, or Higher Rank as Designated by Nevada Highway Patrol

- **Backups:**

Regional Judicial Outreach / MCSAP / Industry Training and Education (JOP) Officer and/or Administrative Assistant IV/PO2 (Data Quality Manager), MCSAP Sergeant, or Higher Rank as Designated by Nevada Highway Patrol

- **Interactions:**

The Administrative Assistant II and/or IV/PO2 (Data Quality Manager) may convene a review panel when additional review, subject matter expertise, supervisory input, or administrative review is necessary.

The Administrative Assistant II and/or IV/PO2 (Data Quality Manager) coordinates scheduling, documentation, communication, and record retention associated with panel reviews and may coordinate with Nevada Highway Patrol personnel, FMCSA personnel, court representatives, DMV personnel, legal counsel, and other governmental agencies as necessary to facilitate the review process.

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

Administrative Assistant IV/PO2 (Data Quality Manager) and/or

Regional Judicial Outreach / MCSAP / Industry Training and Education (JOP) Officer and/or

Independent Regional Judicial Outreach / MCSAP / Industry Training and Education (JOP) Officer and/or

Judicial Outreach / MCSAP / Industry Training and Education Supervising Officer (Sergeant) and/or

MCSAP Commander (Lieutenant), MCSAP Sergeant, or Higher Rank as Designated by Nevada Highway Patrol and/or

Panel members serve in an advisory capacity and provide independent review, administrative oversight, and subject matter expertise. Panel participation does not replace the requirement that Final Reviews be conducted independently from the Initial Review and Reconsideration Review processes.

Escalation Procedures:

A Request for Data Review (RDR) may be escalated to the Final Review process when the requestor disagrees with the Reconsideration Review determination and submits a request for Final Review through the DataQs system within thirty (30) calendar days of the Reconsideration Review decision.

The Final Review process is intended to provide an independent and impartial review of the Reconsideration Review determination. The Final Reviewer shall not be the individual who conducted the Initial Review or Reconsideration Review and shall not be the issuing officer or inspector, nor the immediate supervisor of the issuing officer or inspector.

The Administrative Assistant II and/or IV/PO2 (Data Quality Manager) will review the request for Final Review and assign it to the appropriate Final Review decision-maker.

Requests that do not include new evidence and are submitted within the allowable appeal period will generally be eligible for Final Review.

Requests that contain newly submitted evidence, documentation, court records, adjudication information, photographs, videos, or other information that was not available during the Initial Review or Reconsideration Review will be returned to the Initial Review

process for evaluation. The newly submitted information will be reviewed by the appropriate Regional Judicial Outreach / MCSAP / Industry Training and Education (JOP) Officer before any further appeal consideration occurs.

Requests closed as Closed—No Requestor Response may be reopened at the level at which they were closed if the requestor subsequently provides the requested information. Such requests will not automatically advance to the next level of review.

Requests closed as Closed—Insufficient Information may be reconsidered if additional information is provided that allows a meaningful review of the request.

If a request does not meet the requirements for Final Review, the requestor will be notified through the DataQs system and provided information regarding any available options for resubmission or additional documentation.

Nevada Highway Patrol will utilize standardized communication templates through the DataQs system whenever practical to ensure consistent communication regarding appeal eligibility, review status, requests for additional information, and review outcomes.

The determination reached through the Final Review process shall constitute Nevada Highway Patrol's final administrative decision regarding the challenged record. Any future or related requests concerning the same record may be reviewed at the discretion of Nevada Highway Patrol in accordance with FMCSA requirements and applicable policies.

Process Description

- Review of RDR
 - **Responsible Party:**
Judicial Outreach / MCSAP / Industry Training and Education Supervising Officer (Sergeant) and/or Administrative Assistant IV/PO2 (Data Quality Manager) and/or MCSAP Commander (LT), MCSAP SGT, or higher rank
 - **Process:**
After completing the Final Review, the Final Reviewer will prepare a written determination.

The determination will identify the evidence reviewed, applicable regulations or policies considered, findings, and the basis for the decision.

The reviewer will determine whether the Reconsideration Review decision

should be upheld, modified, or reversed.

If the reviewer determines that corrective action is warranted, the reviewer will recommend the appropriate corrective action and DataQs disposition.

When a determination results in Closed—No Data Correction Made, the written response will include the decision-maker's name and title, evidence reviewed, decision reached, and specific reasons supporting the decision.

The reviewer will provide the completed determination to the Regional Administrative Assistant II and/or IV/PO2 (Data Quality Manager) for processing and closure.

- Outcome of RDR

- **Responsible Party:**

- Administrative Assistant II and/or IV/PO2 (Data Quality Manager)

- **Process:**

- After completing the Final Review, the Final Reviewer will prepare a written determination.

The determination will identify the evidence reviewed, applicable regulations or policies considered, findings, and the basis for the decision.

The reviewer will determine whether the Reconsideration Review decision should be upheld, modified, or reversed.

If the reviewer determines that corrective action is warranted, the reviewer will recommend the appropriate corrective action and DataQs disposition.

When a determination results in Closed—No Data Correction Made, the written response will include the decision-maker's name and title, evidence reviewed, decision reached, and specific reasons supporting the decision.

The reviewer will provide the completed determination to the Regional Administrative Assistant II and IV/PO2 (Data Quality Manager) for processing and closure.

- Closure of RDR

- **Responsible Party:**

- Administrative Assistant II and/or IV/PO2 (Data Quality Manager)

- **Process:**

Upon receipt of the completed Final Review determination, the Administrative Assistant IV/PO2 (Data Quality Manager) will review the documentation for completeness and ensure all required information has been included.

The Administrative Assistant II and/or IV/PO2 (Data Quality Manager) will update the DataQs system, issue the appropriate response to the requestor, record the disposition, and ensure all supporting documentation is maintained in accordance with applicable record retention requirements.

If corrective action is required, the Administrative Assistant IV/PO2 (Data Quality Manager) will coordinate with the appropriate personnel to ensure required updates are completed.

The Final Review determination will be documented within the DataQs system and maintained in accordance with Nevada Department of Public Safety records retention requirements.

Upon closure of the Final Review, Nevada Highway Patrol's determination shall be considered final.

The DataQ correspondence will be noted as such.

- **Timeliness:**

Requests for Final Review must be submitted within thirty (30) calendar days of the Reconsideration Review determination.

Final Review assignments will be made as soon as practical following receipt of the request.

Final Review determinations will be completed and communicated within forty-five (45) calendar days.

Requestors will be provided with fourteen (14) calendar days to respond to requests for additional information.

Review timelines will be suspended during the requestor's fourteen (14) day response period as permitted by FMCSA requirements.

If a requestor fails to respond within fourteen (14) calendar days, the request may be closed as Closed—No Requestor Response unless sufficient information exists to make a determination.

Timeliness will be monitored by the Administrative Assistant II and/or IV/PO2 (Data

Quality Manager).

Open requests will be reviewed regularly to prevent backlogs and ensure compliance with FMCSA requirements.

Expected Outcomes for RDR Closures:

Closed—No Data Correction Made

This outcome is used when the Final Review determines that the Reconsideration Review decision was correct and supported by the available evidence. The Final Reviewer concludes that the existing record is accurate and that the requestor has not provided sufficient evidence to justify a correction or removal of the challenged data.

The reviewer will independently evaluate all available evidence, documentation, applicable regulations, and findings from the Initial Review and Reconsideration Review before determining whether to uphold the prior decision.

The Reconsideration Review determination will be upheld when the available evidence supports the accuracy of the challenged record and no basis exists for corrective action.

Closed—Data Correction Made

This outcome is used when the Final Review determines that the Reconsideration Review decision should be modified or reversed based upon the available evidence.

The reviewer concludes that sufficient evidence exists to support modifying, correcting, or removing data contained within the challenged record.

The Reconsideration Review determination will not be upheld when documentation, adjudicated citation outcomes, regulatory requirements, or other verified evidence demonstrate that corrective action is warranted.

Closed—Citation Results Entered

This outcome is used when adjudicated citation information becomes available and must be entered or appended to the challenged record.

The reviewer verifies the disposition through court documentation or other official records and ensures the record is updated in accordance with FMCSA policies and procedures.

The Reconsideration Review determination may be modified when official adjudication records support a different outcome.

Closed—Report Not Sent

This outcome is used when a requestor asks for a copy of a report and Nevada Highway Patrol is unable to provide the requested report.

Reasons may include records retention limitations, unavailable records, legal restrictions,

or circumstances where the requested report is not maintained by Nevada Highway Patrol. The Reconsideration Review determination will generally be upheld when the inability to provide the requested report is supported by applicable laws, policies, or record availability.

Closed—Report Sent

This outcome is used when Nevada Highway Patrol provides the requested report to the requestor.

Reports may be provided through DataQs, electronic mail, postal mail, or other approved methods as appropriate.

The Reconsideration Review determination may be modified if providing the requested report resolves the basis for the appeal.

Closed—No Requestor Response

This outcome is used when Nevada Highway Patrol requests additional information from the requestor and the requestor fails to provide the requested information within the allotted fourteen (14) calendar day response period.

If sufficient information exists to make a determination, Nevada Highway Patrol may proceed with a substantive review instead of issuing this closure.

The Reconsideration Review determination may be upheld when the available evidence supports the prior decision, and no additional information is received.

Closed—Insufficient Information

This outcome is used when the request does not contain sufficient information to allow a meaningful review and the available documentation does not support a substantive determination.

This closure does not constitute a decision on the merits of the request and may be reconsidered if additional supporting documentation becomes available.

The Reconsideration Review determination may be upheld when insufficient evidence exists to support modification of the challenged record.

Nevada Highway Patrol will determine whether to uphold, modify, or reverse a Reconsideration Review determination by conducting an independent evaluation of all available evidence, applicable regulations, court records, adjudication documentation, inspection reports, crash reports, and any newly submitted information.

The Final Reviewer shall independently assess the merits of the request and is not bound by the Initial Review or Reconsideration Review determinations. Decisions will be based solely upon the facts, evidence, and applicable laws and regulations relevant to the request.

The Final Review determination constitutes Nevada Highway Patrol's final administrative decision regarding the challenged record.

Communication:

Nevada Highway Patrol will utilize the FMCSA DataQs system as the primary method of communication with Request for Data Review (RDR) submitters during the Final Review process.

All official communications regarding receipt, requests for additional information, status updates, review outcomes, and final determinations will be documented within the DataQs system.

The Administrative Assistant IV/PO2 (Data Quality Manager) will monitor communications to ensure timely responses and compliance with FMCSA requirements.

When additional information is needed, Nevada Highway Patrol will communicate the specific information required and provide the requestor fourteen (14) calendar days to respond.

When a Final Review determination is made, the response will include the applicable outcome, a summary of the decision, and any actions taken as a result of the review.

For closures resulting in Closed—No Data Correction Made, the response will include:

- The decision-maker's name and title
- A description of Nevada's approved DataQs State Implementation Plan or a reference to its location
- The evidence reviewed
- The decision reached
- Specific reasons supporting the decision
- Notification that the Final Review determination constitutes Nevada Highway Patrol's final administrative decision regarding the challenged record

Nevada Highway Patrol utilizes standardized response language whenever appropriate to promote consistency, transparency, and quality throughout the review process while allowing reviewers to provide case-specific explanations as needed.

All communications associated with the Final Review process will be retained in accordance with applicable record retention requirements.

Communication with requestors will be conducted in a professional, timely, and transparent manner to ensure submitters understand the status, outcome, and final disposition of their Request for Data Review.

Next Steps:

Following closure of a Final Review, the requestor will receive notification through the DataQs system identifying the outcome of the review and any actions taken.

If the outcome is Closed—Data Correction Made, Nevada Highway Patrol will coordinate any necessary updates or corrections in accordance with FMCSA procedures and applicable system requirements.

If the outcome is Closed—Citation Results Entered, the appropriate citation disposition information will be entered or updated in accordance with FMCSA policy.

If the outcome is Closed—Report Sent, the requestor will receive the requested report through an approved delivery method.

If the outcome is Closed—No Data Correction Made, the requestor will be notified that the Final Review determination constitutes Nevada Highway Patrol's final administrative decision regarding the challenged record.

If the outcome is Closed—No Requestor Response or Closed—Insufficient Information, the requestor may submit additional information through the DataQs process as permitted by FMCSA requirements. Any subsequent review will be conducted in accordance with FMCSA DataQs policies and Nevada Highway Patrol procedures.

If corrective action is required as a result of the Final Review, Nevada Highway Patrol will coordinate the appropriate updates and document the action taken within the DataQs system.

Questions regarding the review process may be directed through the DataQs system or to Nevada Highway Patrol's designated Point of Contact:

Administrative Assistant IV/PO2 (Data Quality Manager)

Nevada Highway Patrol – Motor Carrier Safety Assistance Program (MCSAP) Email:

Nevada.CVE@dps.state.nv.us