

DataQs State Implementation Plan



New Mexico

**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 New Mexico.

DataQs State Implementation Plan

State: New Mexico

MCSAP Lead Agency: New Mexico State Police - Commercial Vehicle Enforcement Bureau

Initial Review Process

Roles and Responsibilities

- Persons responsible for managing DataQs for the organization
 - **Responsible Party:**
Sr Bus Ops Analyst
 - **Supervisor(s):**
CVE Lt
CVE Captain
CVE Major
Senior Program Coordinator
 - **Backups:**
2nd Sr Bus Ops Analyst
 - **Interactions:**
New Mexico works closely with FMCSA/CVSA to stay abridged on all updates and processes regarding RDRs. Our department travels to several conferences per year to attend workshops and classes regarding RDRs to remain informed on all processes and to improve our procedures.

NMSP works with NMDOT when NMSP has made a decision to change a crash report's information through DataQ review/investigation.

- Person(s) responsible for decision-making for the Initial Review process
 - **Responsible Party:**
The RDRs are initially received by the Sr. Bus. Ops Analyst. Upon initial receipt, each RDR is opened to determine which District or Port of Entry it needs to be routed to for initial review. Each one is sent to the corresponding District Captain/Lieutenant or Port Manager and Supervisor(s). District leadership and Port of Entry Manager and/or Port Supervisors who conduct the initial review for RDRs in their respective Districts or Ports of Entry. New Mexico State Police is comprised of 12 Districts and 12 Ports of Entry where Commercial Vehicle Enforcement inspections are conducted. Each District

has a leadership structure comprised of a District Commander, Lieutenants and Sergeants. Each Port of Entry is comprised of a Port Manager and/or Port Supervisors. Below outlines positions for which RDRs would be routed for initial review for each District and also noted Ports of Entry in that specific district if applicable. New Mexico State Police also has a “Strike Team” that has CVE officers assigned throughout the state in various districts and are supervised by a Sergeant.

District 1 – Santa Fe, NM- District Commander/Lieutenant/Sergeant

District 2 – Las Vegas, NM-District Commander/Lieutenant/Sergeant or Port Manager for Raton and Clayton Ports of Entry

District 3 – Roswell, NM-District Commander/Lieutenant/Sergeant or Port Manager for Carlsbad and Hobbs Ports of Entry

District 4- Las Cruces, NM-District Commander/Lieutenant/Sergeant or Port Manager/Port Supervisor(s) for Anthony and Santa Teresa Ports of Entry

District 5 – Albuquerque, NM- District Commander/Lieutenant/Sergeant

District 6- Gallup, NM- District Commander/Lieutenant/Sergeant or Port Manager/Port Supervisor for the Gallup Port of Entry

District 7 – Espanola, NM- District Commander/Lieutenant/Sergeant

District 8 – Alamogordo, NM- District Commander/Lieutenant/Sergeant or Port Manager for Oro Grande Port of Entry

District 9 – Clovis, NM- District Commander/Lieutenant/Sergeant or Port Manager/Port Supervisor(s) for San Jon, Nara Visa and Texico Ports of Entry

District 10 – Farmington, NM- District Commander/Lieutenant/Sergeant

District 11- Socorro, NM- District Commander/Lieutenant/Sergeant

District 12 – Deming, NM- District Commander/Lieutenant/Sergeant or Port Manager/Port Supervisor for the Lordsburg Port of Entry

Strike Team – Strike Team Sergeant/Lieutenant

- **Supervisor(s):**

NMSP CVE Lieutenant

NMSP CVE Captain

- **Backups:**

Senior Program Coordinator

- **Interactions:**

All District Commanders/Lieutenants/Sergeants and Port of Entry Managers and Supervisors interact with requestors on RDRs sent to them for initial review based on the RDR and the CVE personnel they supervise, additionally with any courthouse regarding any citations related to RDRs (if applicable).

Outside law enforcement agencies beyond NMSP may be contacted in

regard to previous encounters with the carriers/drivers as applicable for RDRs.

- Person(s) consulted for additional information or evidence
 - **Responsible Party:**
Senior Program Coordinator
NM FMCSA Representatives
FMCSA Rep.
NM Court officials– All districts
 - **Supervisor(s):**
CVE Captain, CVE Lieutenant, Senior Program Coordinator
FMCSA Personnel
Supervised by FMCSA Division Administrator
 - **Backups:**
CVE Major
 - **Interactions:**
Federal Motor Carrier Safety Administration personnel, if needed to assist with guidance based on RDR and Commercial Vehicle Safety Alliance staff may be contacted as well for subject matter expertise based of the RDR.

Process Description

- Receipt of RDR
 - **Responsible Party:**
Sr. Bus. Ops Analyst
 - **Process:**
Upon receipt of an RDR, the Sr. Bus. Ops Analyst disseminates each RDR to their appropriate District leadership and Port Manager/Port Supervisors to conduct the initial review of the RDR
- Review of RDR
 - **Responsible Party:**
All District Commanders/Lieutenants/Sergeants and Port Manager and Port Supervisors are responsible for initial review of RDRs sent to them based on the CVE personnel supervised for crashes and inspections.
 - **Process:**
During the initial review phase of an RDR, the original inspector or investigating officer is consulted as needed and Axon body cam footage is reviewed. The original inspector/investigating officer does not have the final decision of a RDR during this phase of review.

Initial Review:

All RDRs submitted to the State of New Mexico must be opened within seven (7) days of submission. This opening would change the status from “New” to “Open-In Review”. New Mexico must respond to the RDR, either to request additional information or communicate a decision within Twenty-one (21) days of submission. If the State requests additional information from the requestor, the requestor has Fourteen (14) days to provide the information. These Fourteen (14) days does not impact on the timeline for the State’s review. The clock will be paused while the requestor gathers additional information and will restart once the RDR is returned to the State. If the requestor does not respond, the system will close the request with the status “Closed—No Requestor Response.” A RDR that is reopened after being closed for no response will be reviewed at the level it was closed and not escalated. The issuing officer or inspector cannot be the sole decision-maker when the outcome of the RDR is “Closed—No Data Correction Made.” Each RDR closed with the status “Closed—No Data Correction Made” must adequately explain the facts and the decision process. Responses must contain the following information.

Description of the link to the State’s approved DataQs Implementation Plan

Decision-maker (name and title) and contact information

List of evidence reviewed

Decision

Specific reason for decision

Next steps/directions for more information

- Outcome of RDR

- **Responsible Party:**

- Once a decision is made during the initial review step of the RDR process by the applicable District leadership and/or Port Manager/Supervisor that decision is communicated back to Ms. Walker to close out the RDR and make any changes needed to the inspection.

- **Process:**

- Each RDR reviewed during the initial review process is processed according to the decision communicated back to Ms. Walker from District or Port of Entry Leadership

- When a decision is made for a RDR for “Inspection- Assigned to Wrong Carrier” to amend the carrier, the inspection is amended in SafeSpect to the correct carrier.

- When a decision is made on a RDR for “Inspection – Citation with Associated

Violation”, the inspection is opened in SafeSpect, and the citation outcome is recorded on the violation.

When processing the RDRs for “Inspection- Missing Report”, the inspection is re-uploaded into the system through our third-party vendor, TraCS.

- Closure of RDR
 - **Responsible Party:**
Sr Bus Ops Analyst
 - **Process:**
Each RDR is closed with a description of the field office’s response/decision. Each RDR is closed out with a correction made or no correction made depending on the results of the investigation.
If a RDR regarding a citation that has a decision made by the courthouse, is closed out with the citation results entered.
If a RDR regarding a “Wrong Carrier” is approved for change to the correct carrier for the inspection, the inspection is amended in SafeSpect. The RDR requestor is notified of these changes and is provided with a copy of the amended inspection.
- Timeliness:
All RDRs submitted to the State of New Mexico must be opened within seven (7) days of submission. This opening would change the status from “New” to “Open-In Review”. New Mexico must respond to the RDR, either to request additional information or communicate a decision within Twenty-one (21) days of submission. If the State requests additional information from the requestor, the requestor has Fourteen (14) days to provide the information. These Fourteen (14) days does not impact on the timeline for the State’s review. The clock will be paused while the requestor gathers additional information and will restart once the RDR is returned to the State. If the requestor does not respond, the system will close the request with the status “Closed—No Requestor Response.” A RDR that is reopened after being closed for no response will be reviewed at the level it was closed and not escalated. The issuing officer or inspector cannot be the sole decision-maker when the outcome of the RDR is “Closed—No Data Correction Made.”

Expected Outcomes for RDR Closures:

Closed—No Data Correction Made: The request has been closed, and the data will not be corrected. – This result is the outcome of the investigation revealing that the evidence provided is inaccurate or even fraudulent, or that not enough information has or can be provided to prove that the inspection contains any inaccuracies.

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

corrected. The investigation has revealed that an error was made at the time of the inspection or the inspector was not given all the information at the time of the inspection. After reviewing the provided information and the video from the inspection, the decision is made to amend the inspection accordingly to the correct information.

Closed—Citation Results Entered: The request has been closed, and the violation will be appended to reflect the outcome of the citation – When a citation is dismissed in court and no fine has been made, the citation results are recorded through SafeSpect. When a citation is not dismissed, and the court has found the defendant guilty, these results are also entered into SafeSpect. However, we rarely have RDRs with “guilty” verdicts. If a judge finds that the driver is not guilty, then the violation can be removed from the inspection. This is also done through SafeSpect and the driver/carrier is provided with a copy of the updated inspection.

Closed—Report Not Sent: The request has been closed, but the requested inspection report was not sent. We have not used this response in our RDRs.

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. When a requestor requests a copy of their inspection, a copy is provided to them through the Data Q portal, or by any other means they request.

Closed—No Requestor Response: The request was closed because the requestor did not respond. This response is automatic and will close out a RDR in which the state has requested additional information, however, the requestor has not given us a response.

Communication:

All communication between the state and the RDR requestor regarding the progress of their requests is through the Data Q portal. There is occasionally communication via email if an attachment is too large for the Data Q portal, or when a requestor is having trouble responding through the portal or has additional questions after their DataQ has been closed for the second time.

Additionally, if the field office handling the investigation of the RDR needs to speak directly with the requestor, they will contact them via the contact information provided within the RDR.

The DataQ Analyst will inform the requestor of the status of their RDR. For example, when it has been sent to the field office, an update request has been sent to the field office regarding their case, and lastly, the final decision is communicated to the requestor with the details found during the investigation.

Next Steps:

When a RDR is closed out with “No Data Corrections Made”, the submitter is given an explanation as to why there will be no corrections made which is provided by the field office, as well as any documents showing that the inspection is correct if available.

When a RDR is closed out with “Data Correction Made”, the submitter receives a copy of the amended inspection as well as any additional details provided by the field office. We let the submitted know that the amendment will show in FMCSA in 1-2 weeks to provide time for the new information to be uploaded, as sometimes the inspection is corrected with our third-party vendor and will need to be processed through several steps before reaching FMCSA.

Reconsideration Review Process

Roles and Responsibilities

- Person(s) responsible for decision-making for the Reconsideration Review process
 - **Responsible Party:**
Senior Program Coordinator
 - **Supervisor(s):**
CVE Strike Team Sergeant/Lieutenant
 - **Backups:**
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 - **Interactions:**
New Mexico’s Reconsideration Review is processed with our Data Q Review Team who are listed above. Please note that if the initial review for a Strike Team members Data Q has been reviewed by Strike Team Sergeant/Lieutenant, Senior Program Coordinator will review the RDR for reconsiderations.
- Person(s) consulted for additional information or evidence
 - **Responsible Party:**
NM FMCSA Division Administrator Jerry Calderon and CVSA staff for subject matter expertise.
 - **Supervisor(s):**
CVSA Staff is supervised by Executive Director
 - **Backups:**
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 - **Interactions:**

<intentionally left blank>

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

Upon receipt of an RDR for reconsideration requesting a full review and a decisive outcome as a result of the initial review phase. Those reconsideration RDRs are sent to Sr. Program Coordinator and Strike Team Sergeant/Lieutenant for the reconsideration review phase.

Process Description

- Review of RDR
 - **Responsible Party:**
Sr. Program Coordinator and Strike Team Sergeant and Lieutenant
 - **Process:**
During the reconsideration review phase, all applicable evidence (crash report, inspection report, citations, previous initial review outcomes, body cam audio/video footage and any submitted evidence from the requestor) is reviewed and a decision is rendered.

Reconsideration Review:

Reconsideration is applicable to requests that received a full review and a decisive outcome during the Initial Review phase. It would not include requests that are closed due to lack of information, or those reopened without a valid reason. All Reconsideration requests must be opened by the State within seven (7) days.

As in the Initial Review process, if the State requests additional information from the requestor, the requestor has fourteen (14) days to provide the information. These fourteen (14) days do not impact on the timeline for State's review. The clock will be paused while the requestor gathers

additional information and will restart once the RDR is returned to the State. If the requestor does not respond, the system will close the request with the status “Closed—No Requestor Response.”

The State must reach a decision and communicate it to the submitter within twenty-one (21) days. The RDR must be escalated for review by the person or panel with appropriate subject matter expertise, who will be the Senior Program Coordinator and Designated Sergeant, as assigned by the CVEB Captain. The Reconsideration request will not be reviewed by the issuing officer or inspector, nor a direct supervisor of the issuing officer or inspector. Legal review will be incorporated, where applicable.

- Outcome of RDR

- **Responsible Party:**

- Sr. Program Coordinator and Strike Team Sergeant/Lieutenant

- **Process:**

- Reconsideration Review:

- Reconsideration is applicable to requests that received a full review and a decisive outcome during the Initial Review phase. It would not include requests that are closed due to lack of information, or those reopened without a valid reason. All Reconsideration requests must be opened by the State within seven (7) days.

- As in the Initial Review process, if the State requests additional information from the requestor, the requestor has fourteen (14) days to provide the information. These fourteen (14) days do not impact on the timeline for State’s review. The clock will be paused while the requestor gathers additional information and will restart once the RDR is returned to the State. If the requestor does not respond, the system will close the request with the status “Closed—No Requestor Response.”

- The State must reach a decision and communicate it to the submitter within twenty-one (21) days. The RDR must be escalated for review by the person or panel with appropriate subject matter expertise, who will be the Senior Program Coordinator and Designated Sergeant, as assigned by the CVEB Captain. The Reconsideration request will not be reviewed by the issuing officer or inspector, nor a direct supervisor of the issuing officer or inspector. Legal review will be incorporated, where applicable.

- Closure of RDR

- **Responsible Party:**

- Sr. Bus Ops Analyst

- **Process:**

Upon receipt of a decision during the reconsideration review phase of the RDR process, the Sr. Bus. Ops Analyst processes that decision using the FMCSA DataQ portal and SafeSpect

- **Timeliness:**

All Reconsideration requests must be opened by the State within seven (7) days.

As in the Initial Review process, if the State requests additional information from the requestor, the requestor has fourteen (14) days to provide the information. These fourteen (14) days do not impact on the timeline for State's review. The clock will be paused while the requestor gathers additional information and will restart once the RDR is returned to the State. If the requestor does not respond, the system will close the request with the status "Closed—No Requestor Response."

The State must reach a decision and communicate it to the submitter within twenty-one (21) days

Expected Outcomes for RDR Closures:

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

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

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

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

Closed—Report Sent: The request has been closed, and the agency sent the report. The agency may have faxed or uploaded the report to DataQs, or it may have sent the report directly via email or postal mail.

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

Communication:

During the reconsideration review phase, if the requestor provides an email address or phone number, they are often contacted by the reviewer to let them know their RDR is being reviewed, and this provides an open dialogue with the requestor to answer any questions or possibly obtain any additional information regarding their specific RDR. If a requestor requests a copy of any evidence reviewed in rendering a decision, they can request said evidence through proper channels in accordance with NMSP policies for those requests. As in the initial review phase of the RDR process, during this phase of

review the reviewers are impartial on either side of the DataQ. The evidence reviewed is based on facts pertaining to the RDR.

Next Steps:

The requestor can review the reconsideration review decision through the FMCSA DataQ portal and if they are not satisfied with the outcome of the reconsideration review, they have the option of escalating the RDR to an additional final review phase if so desired.

Final Review Process

Roles and Responsibilities

- Person(s) responsible for decision-making for the Final Review process
 - **Responsible Party:**
CVE Captain and CVE Major
 - **Supervisor(s):**
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 - **Backups:**
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 - **Interactions:**
<intentionally left blank>
- Person(s) consulted for additional information or evidence
 - **Responsible Party:**
District Commanders/Lieutenants/Sergeants, Port Managers and Port Supervisors, Sr. Program Coordinator as needed
 - **Supervisor(s):**
<intentionally left blank>
 - **Backups:**
<intentionally left blank>
 - **Interactions:**
<intentionally left blank>
- Person(s) convening a panel or committee
 - **Responsible Party:**
CVEB Captain and CVEB Major
 - **Supervisor(s):**
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 - **Backups:**
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- **Interactions:**
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- **Panel members' titles and associations:**
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Escalation Procedures:

The State will receive any final review requests via the DataQ Portal and convenes a review panel chosen by CVEB leadership. This type of review will be the final decision on RDRs that have gone through the initial and reconsideration phases of the process.

Process Description

- Review of RDR
 - **Responsible Party:**
CVE Captain
 - **Process:**
Final Review:
NMSP shall open a Final Review request within seven (7) days. The CVEB must reach a decision and communicate findings to the Data Q submitter within thirty (30) days. Final Review requests will be appointed for review by the CVEB Captain or designee or panel consisting of SME (subject matter experts) as deemed by the CVEB Captain (i.e. CVSA Personnel, industry professionals etc.) FMCSA will accept the state's final decision upon conclusion of Final Review, as per this process. FMCSA is available to consult on a Final Review at the State's request.
- Outcome of RDR
 - **Responsible Party:**
CVE Captain
 - **Process:**
The CVEB Captain or designee would assemble a final review panel consisting of subject matter experts as deemed by the CVEB Captain. This panel may consist of industry professionals, non-industry professionals, administrative personnel that can provide a fresh look at the evidence to assist in coming to an impartial decision based on the evidence pertaining to the RDR. This panel may be in person or virtually utilizing Zoom or Microsoft Teams platforms as decided by the CVEB Captain
- Closure of RDR
 - **Responsible Party:**

Final review decisions are communicated to Indiana Walker and any changes, if any, those findings are recorded through the DataQ portal and SafeSpect

- **Process:**

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- **Timeliness:**

Final review requests will be opened within 7 days, and a decision must be reached and communicate findings to the requestor within 30 days

Expected Outcomes for RDR Closures:

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

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

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

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

Closed—Report Sent: The request has been closed, and the agency sent the report. The agency may have faxed or uploaded the report to DataQs, or it may have sent the report directly via email or postal mail.

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

Communication:

Methods could be done through email, however the standard platform for communicating the outcome would be utilizing the DataQ Portal.

Next Steps:

Requestors can expect a final decision to be made with thorough and impartial review of all applicable evidence pertinent to the RDR.