

DataQs State Implementation Plan



North Carolina

**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 North Carolina.

DataQs State Implementation Plan

State: North Carolina

MCSAP Lead Agency: North Carolina State Highway Patrol

Initial Review Process

Roles and Responsibilities

- Persons responsible for managing DataQs for the organization
 - **Responsible Party:**
Commercial Vehicle Enforcement (CVE) Unit Commander designee(s), including CVE Headquarters personnel and members assigned to CVE on special assignment, responsible for the intake, tracking, and management of DataQs requests.
 - **Supervisor(s):**
CVE Unit Commander
 - **Backups:**
Additional CVE Headquarters personnel and CVE Unit Commander designee(s) trained in the DataQs process to ensure continuity of operations.
 - **Interactions:**
CVE personnel may coordinate with internal and external entities as necessary to ensure accurate and complete review of DataQs requests. This may include consultation with:
Issuing inspectors for clarification of inspection or enforcement actions
CVE supervisory personnel for policy or procedural guidance
Court officials or clerks for adjudicated citation information
The FMCSA Division Office for regulatory interpretation or guidance
All interactions are conducted in a manner that preserves the independence and integrity of the DataQs review process.
- Person(s) responsible for decision-making for the Initial Review process
 - **Responsible Party:**
CVE Headquarters personnel or CVE Unit Commander designee(s)
 - **Supervisor(s):**
CVE Unit Commander
 - **Backups:**

Additional CVE Headquarters personnel and CVE Unit Commander designee(s) trained in the DataQs review process to ensure continuity of operations.

- **Interactions:**

CVE Headquarters personnel and CVE Unit Commander designees may coordinate with internal and external entities as necessary to ensure accurate and complete review of DataQs requests. This may include consultation with issuing inspectors for clarification of inspection or enforcement actions, CVE supervisory personnel for policy or procedural guidance, court officials or clerks for adjudicated citation information, and the FMCSA Division Office for regulatory interpretation.

All interactions are conducted in a manner that preserves the independence and integrity of the DataQs review process. External entities may provide information or clarification but do not participate in the final decision-making process.

- Person(s) consulted for additional information or evidence

- **Responsible Party:**

Issuing inspector; CVE supervisory personnel; court officials or clerks; FMCSA Division Office personnel; and representatives of other state or local enforcement agencies, as applicable.

- **Supervisor(s):**

Applicable supervisory personnel within their respective agency or organization.

- **Backups:**

Additional personnel within the respective agency or organization capable of providing relevant information or documentation.

- **Interactions:**

CVE Headquarters personnel and CVE Unit Commander designees may consult with internal and external entities to obtain clarification, documentation, or supporting information necessary for the review of DataQs requests. These interactions may include communication with issuing personnel to clarify inspection details, court officials or clerks to verify adjudicated citation outcomes, and the FMCSA Division Office for regulatory interpretation or guidance.

All consultations are conducted for informational purposes only and do not delegate decision-making authority. Final determinations remain the responsibility of the assigned reviewer.

Process Description

- Receipt of RDR
 - **Responsible Party:**
CVE Headquarters personnel or CVE Unit Commander designee(s)
 - **Process:**
DataQs requests are received through the FMCSA DataQs system and routed to the North Carolina State Highway Patrol DataQs queue. CVE Headquarters personnel or a CVE Unit Commander designee is responsible for monitoring the queue and retrieving requests.
Upon receipt, the request is reviewed for completeness and relevance to determine whether sufficient information has been provided to proceed with review. Requests involving inspection records, crash records, or citation-related matters are identified and routed appropriately based on the nature of the request.
The request is assigned to a qualified reviewer who was not involved in the issuance of the challenged inspection or enforcement action and is not in the direct supervisory chain of the issuing member.
The First Level Review process shall be initiated within 7 days of entry of the request into the DataQs system.
- Review of RDR
 - **Responsible Party:**
CVE Headquarters personnel or CVE Unit Commander designee(s) assigned as the First Level Review decision-maker
 - **Process:**
The assigned reviewer conducts a First Level Review by evaluating all available evidence, including the inspection report, supporting documentation submitted by the requestor, and any relevant records maintained by the North Carolina State Highway Patrol.
The reviewer may request additional relevant and material information from the requestor when necessary to make a determination. The review timeline is paused while awaiting a response from the requestor.
The reviewer may consult with appropriate entities, including issuing personnel, court officials, or the FMCSA Division Office, to obtain clarification or supporting documentation.
If the requestor does not respond within 14 days of a request for additional information, the request will be closed with a status of “Closed – No Requestor Response,” unless sufficient information exists to make a

determination based on the available record.

The review is conducted independently and shall not be performed by the issuing inspector or any supervisor of that inspector.

- Outcome of RDR

- **Responsible Party:**

- CVE Headquarters personnel or CVE Unit Commander designee(s) assigned as the First Level Review decision-maker

- **Process:**

- Upon completion of the review, the assigned reviewer determines the appropriate outcome based on the facts and evidence available.

- Possible outcomes include, but are not limited to:

- Closed—No Data Correction Made

- Closed—Data Correction Made

- Closed—Citation Results Entered

- Closed—Report Sent

- Closed—Report Not Sent

- Closed—No Requestor Response

- The outcome is based on the evaluation of all available information, including inspection records, supporting documentation, applicable state law, and federal regulations.

- All decisions must adequately explain the facts and analysis supporting the determination and must include the evidence reviewed, the applicable law or regulation, and the specific reasoning for the final decision in accordance with FMCSA requirements.

- Closure of RDR

- **Responsible Party:**

- CVE Headquarters personnel or CVE Unit Commander designee(s)

- **Process:**

- Upon completion of the review and determination of the outcome, the request is formally closed within the FMCSA DataQs system using the appropriate closure category.

- The assigned reviewer documents the final decision within the DataQs system, including the facts and analysis supporting the determination, the evidence reviewed, and the applicable state law or federal regulation.

- The decision is communicated to the requestor through the DataQs system, along with instructions for any available next steps, including the option to request a Second Level Review within 30 days of the decision.

- Closure of the request is based on the outcome of the review and may

include different closure categories depending on the nature of the request, including data corrections, report transmission, citation updates, or closure due to lack of response from the requestor.

If a request is closed with a status of “Closed – No Requestor Response” and the requestor later provides the requested information, the request may be reopened at the same level of review and will not be escalated.

If new, unrequested, and relevant evidence is submitted after the review has begun, the request will be returned to the First Level Review for evaluation, and the applicable review timeline for that level will apply.

- **Timeliness:**

The North Carolina State Highway Patrol adheres to established timeliness standards to ensure all DataQs requests are addressed promptly and in accordance with FMCSA requirements.

The First Level Review process shall be initiated within 7 days of entry of the request into the DataQs system. First Level Review shall be completed and the final decision made within 21 days of submission of the request for First Level Review.

If a requestor submits an appeal, Second Level Review shall be completed within 21 days of submission of the request for Second Level Review.

Third Level Review, as the final state-level review, shall be completed within 45 days of submission of the request for Third Level Review.

The review timeline is paused while awaiting a response from the requestor for additional relevant and material information. If the requestor does not respond within 14 days of a request for additional information, the request may be closed with a status of “Closed – No Requestor Response,” unless sufficient information exists to make a determination based on the available record.

These timelines are applied consistently to ensure accountability and to maintain the overall timeliness of the DataQs review process.

Expected Outcomes for RDR Closures:

The North Carolina State Highway Patrol utilizes the following outcome categories for closed Requests for Data Review (RDRs). Each outcome is based on the evaluation of the available evidence, applicable law, and regulatory guidance.

Closed—No Data Correction Made:

This outcome is used when the review determines that the original inspection, crash report, or enforcement data is accurate and supported by the available evidence and applicable law or regulation.

Closed—Data Correction Made:

This outcome is used when the review determines that the original data contains an error

or omission and requires correction based on verified documentation, supporting evidence, or updated information.

Closed—Citation Results Entered:

This outcome is used when the request involves a citation and the adjudicated court outcome has been verified and entered to accurately reflect the final disposition of the violation.

Closed—Report Sent:

This outcome is used when the requestor seeks a copy of an inspection report or related documentation, and the requested report is provided to the requestor.

Closed—Report Not Sent:

This outcome is used when the request for a report cannot be fulfilled due to legal, procedural, or availability limitations.

Closed—No Requestor Response:

This outcome is used when the requestor fails to respond to a request for additional relevant and material information within 14 days, and insufficient information exists to complete the review.

All outcomes are determined based on a comprehensive review of the available evidence, including inspection records, supporting documentation, applicable state law, and federal regulations. Each decision includes a documented explanation of the facts and analysis supporting the determination.

Communication:

The North Carolina State Highway Patrol communicates with requestors through the FMCSA DataQs system at key stages of the review process, including receipt, requests for additional information, and final determination.

During the review, the assigned reviewer may request additional relevant and material information from the requestor when necessary to make a determination. These requests are communicated through the DataQs system, and the review timeline is paused while awaiting a response.

Upon completion of the review, the final decision is documented and communicated to the requestor through the DataQs system. All responses include a clear explanation of the facts and analysis supporting the determination, the evidence reviewed, and the applicable state law or federal regulation.

The requestor is provided with the outcome of the review and instructions for any available next steps, including the option to request escalation to the next level of review within the established timeframe.

The North Carolina State Highway Patrol utilizes standardized response practices to ensure consistency, transparency, and completeness in all communications with requestors.

Next Steps:

Following the closure of a Request for Data Review (RDR) after Initial Review, the requestor will receive notification of the final determination through the FMCSA DataQs system. The response will include a detailed explanation of the facts and analysis supporting the decision, the evidence reviewed, and the applicable state law or federal regulation.

If a data correction is warranted, the appropriate updates will be made to the record in accordance with established procedures. If no correction is made, the requestor will be informed of the basis for the decision.

The requestor will be provided with next step actions specific to the outcome of the review. This includes the option to request a Second Level Review within 30 days of the decision if the requestor disagrees with the outcome.

If a request is closed due to “No Requestor Response,” the requestor may provide the requested information at a later time, and the request may be reopened at the same level of review and will not be escalated.

All communications include instructions for escalation, applicable timelines, and information necessary for the requestor to understand the outcome and pursue further review if desired.

Reconsideration Review Process

Roles and Responsibilities

- Person(s) responsible for decision-making for the Reconsideration Review process
 - **Responsible Party:**
CVE Headquarters personnel or CVE Unit Commander designee(s) assigned as Second Level Review decision-makers, who were not involved in the First Level Review or the issuance of the challenged inspection or enforcement action.
 - **Supervisor(s):**
CVE Unit Commander
 - **Backups:**
Additional CVE Headquarters personnel and CVE Unit Commander designee(s) trained in the DataQs review process and not previously involved in the Initial Review, to ensure continuity of operations and independent review.
 - **Interactions:**

CVE Headquarters personnel and CVE Unit Commander designees assigned to the Second Level Review may consult with internal and external entities to obtain clarification, documentation, or supporting information necessary for the review. This may include communication with issuing personnel, court officials or clerks, and the FMCSA Division Office.

All consultations are conducted for informational purposes only. The Second Level Review is performed independently of the Initial Review, and consulted entities do not participate in the final decision-making process.

- Person(s) consulted for additional information or evidence
 - **Responsible Party:**
Issuing inspector or trooper; CVE supervisory personnel; court officials or clerks; and FMCSA Division Office personnel.
 - **Supervisor(s):**
Applicable supervisory personnel within their respective agency or organization.
 - **Backups:**
Additional personnel within the respective agency or organization capable of providing relevant information or documentation.
 - **Interactions:**
CVE Headquarters personnel and CVE Unit Commander designees assigned to the Second Level Review may consult with internal and external entities to obtain clarification, documentation, or supporting information necessary for the review. These consultations may include communication with issuing personnel, court officials or clerks, and the FMCSA Division Office.
All consultations are conducted for informational purposes only. Individuals consulted may provide clarification or documentation but do not participate in the decision-making process. The Second Level Review is conducted independently of the Initial Review and the issuance of the original inspection or enforcement action.
- Person(s) convening a panel or committee
 - **Responsible Party:**
Not applicable
 - **Supervisor(s):**
Not applicable
 - **Backups:**
Not applicable
 - **Interactions:**
Not applicable

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

The North Carolina State Highway Patrol does not utilize a formal panel or committee for the Reconsideration Review process. Reviews are conducted by designated CVE Headquarters personnel or CVE Unit Commander designees to ensure independence, consistency, and accountability. This structure ensures that each review is conducted by personnel who were not involved in the Initial Review or the issuance of the original inspection or enforcement action.

Escalation Procedures:

Requests for Data Review (RDRs) are escalated to the Second Level (Reconsideration) Review when a requestor formally challenges the outcome of the First Level Review within 30 days of the decision.

Escalation to the Second Level Review is appropriate when the requestor disagrees with the determination of the First Level Review and no new, unrequested, and relevant evidence has been introduced.

If a requestor submits new, unrequested, and relevant information after the First Level Review has been initiated or completed, the request will not be escalated to the Second Level Review. Instead, the request will be returned to the First Level Review for evaluation, and the applicable review timeline for that level will apply.

Requests that are reopened due to the requestor providing previously requested information after a closure for "No Requestor Response" will be reopened at the same level of review at which they were closed and will not be escalated.

These procedures ensure that each level of review evaluates the same body of evidence and that reconsideration reviews are conducted independently based on the original record, unless new information requires reevaluation at the initial level.

Process Description

- Review of RDR

- **Responsible Party:**

CVE Headquarters personnel or CVE Unit Commander designee(s) assigned as Second Level Review decision-makers

- **Process:**

Upon receipt of a request for Second Level Review, the request is assigned to a qualified reviewer who was not involved in the First Level Review or the issuance of the challenged inspection or enforcement action.

The assigned reviewer conducts a Second Level Review by evaluating the original record, including the inspection report, supporting documentation

submitted by the requestor, and the determination made during the First Level Review.

The reviewer ensures that the review is conducted independently and impartially, without influence from the issuing inspector or the First Level Review decision-maker.

The reviewer may request additional relevant and material information from the requestor when necessary to clarify the existing record. The review timeline is paused while awaiting a response from the requestor.

The reviewer may consult with appropriate entities, including issuing personnel, court officials or clerks, the FMCSA Division Office, and other agencies, to obtain clarification or supporting documentation.

If the requestor introduces new, unrequested, and relevant evidence, the request will not proceed at the Second Level Review and will instead be returned to the First Level Review for evaluation, with the applicable review timeline for that level applied.

If the requestor does not respond within 14 days of a request for additional information, the request may be closed with a status of “Closed – No Requestor Response,” unless sufficient information exists to make a determination based on the available record.

- Outcome of RDR
 - **Responsible Party:**
CVE Headquarters personnel or CVE Unit Commander designee(s) assigned as Second Level Review decision-makers
 - **Process:**
Upon completion of the Second Level Review, the assigned reviewer determines the appropriate outcome based on an independent evaluation of the original record, the First Level Review decision, and any supporting documentation provided by the requestor.
The reviewer determines whether to uphold or modify the outcome of the First Level Review based on the facts and evidence available.
Possible outcomes include, but are not limited to:
Closed—No Data Correction Made
Closed—Data Correction Made
Closed—Citation Results Entered
Closed—Report Sent
Closed—Report Not Sent
Closed—No Requestor Response
All decisions are based on a comprehensive review of the available evidence,

including inspection records, supporting documentation, applicable state law, and federal regulations.

Each decision includes a clear explanation of the facts and analysis supporting the determination, the evidence reviewed, and the applicable law or regulation.

The Second Level Review is conducted independently, and the outcome reflects an impartial reassessment of the request without deference to the First Level Review determination.

- Closure of RDR

- **Responsible Party:**

- CVE Headquarters personnel or CVE Unit Commander designee(s)

- **Process:**

- Upon completion of the Second Level Review and determination of the outcome, the request is formally closed within the FMCSA DataQs system using the appropriate closure category.

- The assigned reviewer documents the final decision within the DataQs system, including the facts and analysis supporting the determination, the evidence reviewed, and the applicable state law or federal regulation.

- The decision is communicated to the requestor through the DataQs system, along with instructions for any available next steps, including the option to request a Third Level Review within 30 days of the decision.

- Closure of the request is based on the outcome of the review and may include different closure categories depending on the nature of the request, including data corrections, report transmission, citation updates, or closure due to lack of response from the requestor.

- If a request is closed with a status of “Closed – No Requestor Response” and the requestor later provides the requested information, the request may be reopened at the same level of review and will not be escalated.

- If new, unrequested, and relevant evidence is submitted after the review has begun, the request will be returned to the First Level Review for evaluation, and the applicable review timeline for that level will apply.

- Timeliness:

The North Carolina State Highway Patrol adheres to established timeliness standards to ensure all Requests for Data Review (RDRs) are addressed promptly and in accordance with FMCSA requirements.

Second Level Review shall be completed within 21 days of submission of the request for Second Level Review.

The review timeline is paused while awaiting a response from the requestor for

additional relevant and material information. If the requestor does not respond within 14 days of a request for additional information, the request may be closed with a status of “Closed – No Requestor Response,” unless sufficient information exists to make a determination based on the available record.

These timelines are applied consistently to ensure accountability and to maintain the overall timeliness of the DataQs review process.

Expected Outcomes for RDR Closures:

The North Carolina State Highway Patrol utilizes the following outcome categories for closed Requests for Data Review (RDRs) during the Second Level (Reconsideration) Review. Each outcome is based on an independent evaluation of the original record, the First Level Review decision, and any supporting documentation provided by the requestor.

Closed—No Data Correction Made:

This outcome is used when the Second Level Review determines that the original inspection, crash report, or enforcement data is accurate and supported by the available evidence, and the First Level Review determination is upheld.

Closed—Data Correction Made:

This outcome is used when the Second Level Review determines that the original data contains an error or omission and requires correction based on verified documentation, supporting evidence, or updated information, resulting in modification of the First Level Review determination.

Closed—Citation Results Entered:

This outcome is used when the request involves a citation and the adjudicated court outcome has been verified and entered to accurately reflect the final disposition of the violation.

Closed—Report Sent:

This outcome is used when the requestor seeks a copy of an inspection report or related documentation, and the requested report is provided to the requestor.

Closed—Report Not Sent:

This outcome is used when the request for a report cannot be fulfilled due to legal, procedural, or availability limitations.

Closed—No Requestor Response:

This outcome is used when the requestor fails to respond to a request for additional relevant and material information within 14 days, and insufficient information exists to complete the review.

The Second Level Review decision is based on a comprehensive and independent reassessment of the available evidence, including inspection records, supporting documentation, applicable state law, and federal regulations. The reviewer determines

whether to uphold or modify the First Level Review determination based on the facts and analysis of the record, without deference to the prior decision.

Each decision includes a documented explanation of the facts and analysis supporting the determination, the evidence reviewed, and the applicable law or regulation.

Communication:

The North Carolina State Highway Patrol communicates with requestors through the FMCSA DataQs system at key stages of the Second Level (Reconsideration) Review process, including receipt of the escalation request, requests for additional information, and final determination.

During the review, the assigned reviewer may request additional relevant and material information from the requestor when necessary to make a determination. These requests are communicated through the DataQs system, and the review timeline is paused while awaiting a response.

Upon completion of the review, the final decision is documented and communicated to the requestor through the DataQs system. All responses include a clear explanation of the facts and analysis supporting the determination, the evidence reviewed, and the applicable state law or federal regulation.

The requestor is provided with the outcome of the review and instructions for any available next steps, including the option to request a Third Level Review within 30 days of the decision.

The North Carolina State Highway Patrol utilizes standardized response practices to ensure consistency, transparency, and completeness in all communications with requestors.

Next Steps:

Following the closure of a Request for Data Review (RDR) after Second Level (Reconsideration) Review, the requestor will receive notification of the final determination through the FMCSA DataQs system. The response will include a detailed explanation of the facts and analysis supporting the decision, the evidence reviewed, and the applicable state law or federal regulation.

If a data correction is warranted, the appropriate updates will be made to the record in accordance with established procedures. If no correction is made, the requestor will be informed of the basis for the decision.

The requestor will be provided with next step actions specific to the outcome of the review. This includes the option to request a Third Level Review within 30 days of the decision if the requestor disagrees with the outcome.

If a request is closed due to “No Requestor Response,” the requestor may provide the requested information at a later time, and the request may be reopened at the same level

of review and will not be escalated.

All communications include instructions for escalation, applicable timelines, and information necessary for the requestor to understand the outcome and pursue further review if desired.

Final Review Process

Roles and Responsibilities

- Person(s) responsible for decision-making for the Final Review process
 - **Responsible Party:**
CVE Headquarters personnel or CVE Unit Commander designee(s) assigned as Third Level Review decision-makers, who were not involved in the Initial Review, Second Level Review, or the issuance of the challenged inspection or enforcement action.
 - **Supervisor(s):**
CVE Unit Commander
 - **Backups:**
Additional CVE Headquarters personnel and CVE Unit Commander designee(s) trained in the DataQs review process and not previously involved in the Initial or Second Level Reviews, to ensure continuity of operations and independent review.
 - **Interactions:**
CVE Headquarters personnel and CVE Unit Commander designees assigned to the Third Level Review may consult with internal and external entities to obtain clarification, documentation, or supporting information necessary for the review. This may include communication with issuing personnel, court officials or clerks, and the FMCSA Division Office.
All consultations are conducted for informational purposes only. Individuals consulted may provide clarification or documentation but do not participate in the decision-making process. The Third Level Review is conducted independently of the Initial Review, Second Level Review, and the issuance of the original inspection or enforcement action.
- Person(s) consulted for additional information or evidence
 - **Responsible Party:**
Issuing inspector or trooper; CVE supervisory personnel; court officials or clerks; and FMCSA Division Office personnel.
 - **Supervisor(s):**

Applicable supervisory personnel within their respective agency or organization.

- **Backups:**

Additional personnel within the respective agency or organization capable of providing relevant information or documentation.

- **Interactions:**

CVE Headquarters personnel and CVE Unit Commander designees assigned to the Third Level Review may consult with internal and external entities to obtain clarification, documentation, or supporting information necessary for the review. This may include communication with issuing personnel, court officials or clerks, the FMCSA Division Office, and other state or local enforcement agencies, as applicable.

All consultations are conducted for informational purposes only. Individuals consulted may provide clarification or documentation but do not participate in the decision-making process. The Third Level Review is conducted independently of the Initial Review, Second Level Review, and the issuance of the original inspection or enforcement action.

- Person(s) convening a panel or committee

- **Responsible Party:**

Not applicable

- **Supervisor(s):**

Not applicable

- **Backups:**

Not applicable

- **Interactions:**

Not applicable

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

The North Carolina State Highway Patrol does not utilize a formal panel or committee for the Third Level (Final) Review process. Reviews are conducted by designated CVE Headquarters personnel or CVE Unit Commander designees to ensure independence, consistency, and accountability. This structure ensures that each review is conducted by personnel who were not involved in the Initial Review, Second Level Review, or the issuance of the original inspection or enforcement action.

Escalation Procedures:

Requests for Data Review (RDRs) are escalated to the Third Level (Final) Review when a requestor formally challenges the outcome of the Second Level (Reconsideration) Review

within 30 days of the decision.

Escalation to the Third Level Review is appropriate when the requestor disagrees with the determination of the Second Level Review and no new, unrequested, and relevant evidence has been introduced.

If a requestor submits new, unrequested, and relevant information after the Second Level Review has been initiated or completed, the request will not be escalated to the Third Level Review. Instead, the request will be returned to the First Level Review for evaluation, and the applicable review timeline for that level will apply.

Requests that are reopened due to the requestor providing previously requested information after a closure for “No Requestor Response” will be reopened at the same level of review at which they were closed and will not be escalated.

The Third Level Review represents the final level of review within the North Carolina State Highway Patrol. Upon completion of the Third Level Review, no further escalation is available within the State, and the requestor will be directed to the Federal Motor Carrier Safety Administration (FMCSA) for any additional review.

Process Description

- Review of RDR
 - **Responsible Party:**
CVE Headquarters personnel or CVE Unit Commander designee(s) assigned as Third Level Review decision-makers
 - **Process:**
Upon receipt of a request for Third Level (Final) Review, the request is assigned to a qualified reviewer who was not involved in the Initial Review, Second Level Review, or the issuance of the challenged inspection or enforcement action.
The assigned reviewer conducts a Third Level Review by evaluating the original record, the determinations made during the Initial and Second Level Reviews, and any supporting documentation provided by the requestor. The reviewer ensures that the review is conducted independently and impartially, without influence from the issuing inspector or prior reviewers. The reviewer may request additional relevant and material information from the requestor when necessary to clarify the existing record. The review timeline is paused while awaiting a response from the requestor. The reviewer may consult with appropriate entities, including issuing personnel, court officials or clerks, the FMCSA Division Office, and other agencies, to obtain clarification or supporting documentation.
If the requestor introduces new, unrequested, and relevant evidence, the

request will not proceed at the Third Level Review and will instead be returned to the First Level Review for evaluation, with the applicable review timeline for that level applied.

If the requestor does not respond within 14 days of a request for additional information, the request may be closed with a status of “Closed – No Requestor Response,” unless sufficient information exists to make a determination based on the available record.

- Outcome of RDR

- **Responsible Party:**

- CVE Headquarters personnel or CVE Unit Commander designee(s) assigned as Third Level Review decision-makers

- **Process:**

- Upon completion of the Third Level Review, the assigned reviewer determines the appropriate outcome based on an independent evaluation of the original record, prior review determinations, and any supporting documentation provided by the requestor.

- The reviewer determines whether to uphold or modify the outcomes of the Initial and Second Level Reviews based on the facts and evidence available.

- Possible outcomes include, but are not limited to:

- Closed—No Data Correction Made

- Closed—Data Correction Made

- Closed—Citation Results Entered

- Closed—Report Sent

- Closed—Report Not Sent

- Closed—No Requestor Response

- All decisions are based on a comprehensive review of the available evidence, including inspection records, supporting documentation, applicable state law, and federal regulations.

- Each decision includes a clear explanation of the facts and analysis supporting the determination, the evidence reviewed, and the applicable law or regulation.

- The Third Level Review is conducted independently and represents the final determination at the state level.

- Closure of RDR

- **Responsible Party:**

- CVE Headquarters personnel or CVE Unit Commander designee(s)

- **Process:**

Upon completion of the Third Level (Final) Review and determination of the outcome, the request is formally closed within the FMCSA DataQs system using the appropriate closure category.

The assigned reviewer documents the final decision within the DataQs system, including the facts and analysis supporting the determination, the evidence reviewed, and the applicable state law or federal regulation.

The decision is communicated to the requestor through the DataQs system, along with notification that the Third Level Review represents the final determination at the state level.

Closure of the request is based on the outcome of the review and may include different closure categories depending on the nature of the request, including data corrections, report transmission, citation updates, or closure due to lack of response from the requestor.

If a request is closed with a status of “Closed – No Requestor Response” and the requestor later provides the requested information, the request may be reopened at the same level of review and will not be escalated.

If new, unrequested, and relevant evidence is submitted after the review has begun, the request will be returned to the First Level Review for evaluation, and the applicable review timeline for that level will apply.

- **Timeliness:**

The North Carolina State Highway Patrol adheres to established timeliness standards to ensure all Requests for Data Review (RDRs) are addressed promptly and in accordance with FMCSA requirements.

Third Level (Final) Review shall be completed within 45 days of submission of the request for Third Level Review.

The review timeline is paused while awaiting a response from the requestor for additional relevant and material information. If the requestor does not respond within 14 days of a request for additional information, the request may be closed with a status of “Closed – No Requestor Response,” unless sufficient information exists to make a determination based on the available record.

These timelines are applied consistently to ensure accountability and to maintain the overall timeliness of the DataQs review process.

Expected Outcomes for RDR Closures:

The North Carolina State Highway Patrol utilizes the following outcome categories for closed Requests for Data Review (RDRs) during the Third Level (Final) Review. Each outcome is based on an independent evaluation of the original record, prior review determinations, and any supporting documentation provided by the requestor.

Closed—No Data Correction Made:

This outcome is used when the Third Level Review determines that the original inspection, crash report, or enforcement data is accurate and supported by the available evidence, and prior review determinations are upheld.

Closed—Data Correction Made:

This outcome is used when the Third Level Review determines that the original data contains an error or omission and requires correction based on verified documentation, supporting evidence, or updated information, resulting in modification of prior review determinations.

Closed—Citation Results Entered:

This outcome is used when the request involves a citation and the adjudicated court outcome has been verified and entered to accurately reflect the final disposition of the violation.

Closed—Report Sent:

This outcome is used when the requestor seeks a copy of an inspection report or related documentation, and the requested report is provided to the requestor.

Closed—Report Not Sent:

This outcome is used when the request for a report cannot be fulfilled due to legal, procedural, or availability limitations.

Closed—No Requestor Response:

This outcome is used when the requestor fails to respond to a request for additional relevant and material information within 14 days, and insufficient information exists to complete the review.

All outcomes are determined based on a comprehensive and independent review of the available evidence, including inspection records, supporting documentation, applicable state law, and federal regulations. Each decision includes a documented explanation of the facts and analysis supporting the determination, the evidence reviewed, and the applicable law or regulation.

The Third Level Review represents the final determination at the state level.

Communication:

The North Carolina State Highway Patrol communicates with requestors through the FMCSA DataQs system at key stages of the Third Level (Final) Review process, including receipt of the escalation request, requests for additional information, and final determination.

During the review, the assigned reviewer may request additional relevant and material information from the requestor when necessary to make a determination. These requests are communicated through the DataQs system, and the review timeline is paused while

awaiting a response.

Upon completion of the review, the final decision is documented and communicated to the requestor through the DataQs system. All responses include a clear explanation of the facts and analysis supporting the determination, the evidence reviewed, and the applicable state law or federal regulation.

The requestor is notified that the Third Level Review represents the final determination at the state level and is provided with information regarding any available federal review options through the Federal Motor Carrier Safety Administration (FMCSA).

The North Carolina State Highway Patrol utilizes standardized response practices to ensure consistency, transparency, and completeness in all communications with requestors.

Next Steps:

Following the closure of a Request for Data Review (RDR) after Third Level (Final) Review, the requestor will receive notification of the final determination through the FMCSA DataQs system. The response will include a detailed explanation of the facts and analysis supporting the decision, the evidence reviewed, and the applicable state law or federal regulation.

If a data correction is warranted, the appropriate updates will be made to the record in accordance with established procedures. If no correction is made, the requestor will be informed of the basis for the decision.

The Third Level Review represents the final determination at the state level. No further escalation is available within the North Carolina State Highway Patrol.

The requestor will be provided with information regarding any available federal review options through the Federal Motor Carrier Safety Administration (FMCSA) if they wish to pursue further action.

If a request is closed due to “No Requestor Response,” the requestor may provide the requested information at a later time, and the request may be reopened at the same level of review and will not be escalated.

All communications include the information necessary for the requestor to understand the outcome and any available options following the final review.