

DataQs State Implementation Plan



Puerto Rico

**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 Puerto Rico.

DataQs State Implementation Plan

State: Puerto Rico

MCSAP Lead Agency: Transport and Other Public Services Bureau (TPSB)

Initial Review Process

Roles and Responsibilities

- Persons responsible for managing DataQs for the organization
 - **Responsible Party:**
IT Specialist
 - **Supervisor(s):**
PRMCSAP Supervisor
 - **Backups:**
Not designated (staffing limitation)
 - **Interactions:**
N/A
- Person(s) responsible for decision-making for the Initial Review process
 - **Responsible Party:**
IT Specialist
 - **Supervisor(s):**
PRMCSAP Supervisor
 - **Backups:**
Not designated (staffing limitation)
 - **Interactions:**
N/A
- Person(s) consulted for additional information or evidence
 - **Responsible Party:**
PRMCSAP Supervisor
 - **Supervisor(s):**
TPSB President
 - **Backups:**
Not designated (staffing limitation)
 - **Interactions:**
N/A

Process Description

- Receipt of RDR
 - **Responsible Party:**
IT Specialist
 - **Process:**
Upon submission in DataQs, the IT Specialist:
Logs the RDR and assigns a tracking number;
Acknowledges receipt to the submitter by email within seven (7) calendar days;
Classifies the RDR by type (inspection vs. crash) and subtype; and
Routes it to the appropriate reviewer.
- Review of RDR
 - **Responsible Party:**
IT Specialist
 - **Process:**
The IT Specialist:
Reviews the RDR against the underlying inspection/crash record and the submitter's evidence, applying the FMCSRs and FMCSA's Adjudicated Citations policy;
Requests additional information from the submitter if needed (the submitter has 14 days to respond, not counted toward the timeline);
Consults the PRMCSAP Supervisor or other subject-matter experts when necessary; and
Documents the findings supporting the determination.
All review processes are conducted strictly in compliance with the revised DataQs Participation Requirements (Docket No. FMCSA-2023-0190) and applicable Federal regulations.
All RDR review processes will be performed in a fully non-discriminatory way, in accordance with TPSB's Title VI Program Compliance Plan.
- Outcome of RDR
 - **Responsible Party:**
IT Specialist
 - **Process:**
<intentionally left blank>
- Closure of RDR
 - **Responsible Party:**
IT Specialist

- **Process:**

The IT Specialist:

Records the determination and selects the appropriate closure status;

For any “Closed—No Data Correction Made” outcome, drafts a substantive response documenting the decision-maker (name and title), the evidence reviewed, the decision and specific reasons, a link to PR’s approved DataQs State Implementation Plan, and appeal instructions;

Sends the closure notification to the submitter by email; and

Closes the RDR in DataQs within the 21-day timeline.

- **Timeliness:**

The IT Specialist opens each RDR within 7 calendar days and responds to the Initial Review within 21 calendar days of submission.

Expected Outcomes for RDR Closures:

Possible outcomes and decision drivers (Responsible: IT Specialist):

Closed—Data Correction Made — the evidence shows the record is inaccurate or incomplete under the FMCSRs, so the record is corrected.

Closed—No Data Correction Made — the evidence and regulations support the original record; a substantive written explanation is provided.

Closed—No Requestor Response — the submitter did not provide requested information within 14 days, and no decision can be made on existing information.

Closed—Insufficient Information — there is not enough information to make a determination.

Communication:

Submitters are notified by email and through DataQs at three points:

An acknowledgment when the RDR is opened (within 7 days);

A status update whenever additional information is requested; and

The final decision (within 21 days). Each substantive decision email includes: the RDR tracking number; the decision/status; the decision-maker’s name and title; the evidence reviewed; the specific reason(s) for the decision; a link to PR’s approved DataQs State Implementation Plan; and next steps, including how and by when (30 days) to request a Reconsideration.

Responsible: IT Specialist.

Next Steps:

Submitters receive the decision and, where applicable, instructions to request a Reconsideration Review within 30 days.

Responsible: IT Specialist.

Reconsideration Review Process

Roles and Responsibilities

- Person(s) responsible for decision-making for the Reconsideration Review process
 - **Responsible Party:**
TPSB Commissioner
 - **Supervisor(s):**
TPSB President
 - **Backups:**
Not designated (staffing limitation)
 - **Interactions:**
Not designated (staffing limitation)
- Person(s) consulted for additional information or evidence
 - **Responsible Party:**
TPSB Commissioner
 - **Supervisor(s):**
TPSB President
 - **Backups:**
Not designated (staffing limitation)
 - **Interactions:**
Not designated (staffing limitation)
- Person(s) convening a panel or committee
 - **Responsible Party:**
<intentionally left blank>
 - **Supervisor(s):**
<intentionally left blank>
 - **Backups:**
<intentionally left blank>
 - **Interactions:**
<intentionally left blank>
 - **Panel members' titles and associations:**

<intentionally left blank>

Escalation Procedures:

An RDR proceeds to Reconsideration when there is a discrepancy with the required information and upon the submitter's request, within 30 days of the Initial decision. If previously "Closed—No Requestor Response" and new evidence is provided, it is reopened under the Initial Review.

Process Description

- Review of RDR
 - **Responsible Party:**
TPSB Commissioner
 - **Process:**
Within the required timeframe, the TPSB reconsiders the request. The independent reviewer (TPSB Commissioner):
Confirms the request was filed within 30 days of the Initial decision;
Re-examines the record, the original determination, and any new evidence, independently of the Initial reviewer;
Requests additional information if needed (14-day submitter window, not counted toward the timeline); and
Issues a written decision to uphold or overturn the Initial Review and notifies the submitter by email within 21 days.
All review processes are conducted strictly in compliance with the revised DataQs Participation Requirements (Docket No. FMCSA-2023-0190) and applicable federal regulations.
All RDR review processes will be performed in a fully non-discriminatory way, in accordance with TPSB's Title VI Program Compliance Plan.
- Outcome of RDR
 - **Responsible Party:**
<intentionally left blank>
 - **Process:**
<intentionally left blank>
- Closure of RDR
 - **Responsible Party:**
<intentionally left blank>
 - **Process:**
<intentionally left blank>
- Timeliness:

Decision reached and communicated within 21 calendar days; submitter's appeal window: 30 days.

Expected Outcomes for RDR Closures:

Two outcomes:

Overturn — new or re-weighed evidence shows the Initial determination was incorrect under the FMCSRs, so the record is corrected; or

Uphold (Closed—No Data Correction Made) — the evidence and regulations continue to support the original record, with a substantive written explanation. The decision is notified to the submitter by email.

Communication:

The submitter is notified by email within 21 days. The decision email includes the RDR tracking number; the decision (uphold or overturn) and specific reasons; the decision-maker's name and title; the evidence reviewed; and instructions to request a Final Review within 30 days.

Next Steps:

The submitter is informed of the terms to request a Final Review (within 30 days).

Final Review Process

Roles and Responsibilities

- Person(s) responsible for decision-making for the Final Review process
 - **Responsible Party:**
PRMCSAP Director
 - **Supervisor(s):**
Not designated (staffing limitation)
 - **Backups:**
TPSB Commissioner (backup)
 - **Interactions:**
Not designated (staffing limitation)
- Person(s) consulted for additional information or evidence
 - **Responsible Party:**
PRMCSAP Director
 - **Supervisor(s):**

- Not designated (staffing limitation)
 - **Backups:**
TPSB Commissioner (backup)
 - **Interactions:**
Not designated (staffing limitation)
- Person(s) convening a panel or committee
 - **Responsible Party:**
<intentionally left blank>
 - **Supervisor(s):**
<intentionally left blank>
 - **Backups:**
<intentionally left blank>
 - **Interactions:**
<intentionally left blank>
 - **Panel members' titles and associations:**
<intentionally left blank>

Escalation Procedures:

An RDR proceeds to Final Review following the submitter's request and if deemed meritorious by the reviewer, within 30 days of the Reconsideration decision.

If the backup (TPSB Commissioner) would step in on a case already reviewed at Reconsideration, that RDR is reassigned to preserve independence.

Process Description

- Review of RDR
 - **Responsible Party:**
PRMCSAP Director
 - **Process:**
The responsible decision-maker (PRMCSAP Director), who did not participate in the Initial Review or the Reconsideration:
 1. Confirms the Final Review request was filed within 30 days and is deemed meritorious;
 2. Conducts an independent, unbiased review of the record and all evidence;
 3. May delegate to a panel or outside party that provides a recommendation; and

4. Issues the final written decision and notifies the submitter by email within 45 days.

All review processes are conducted strictly in compliance with the revised DataQs Participation Requirements (Docket No. FMCSA-2023-0190) and applicable federal regulations.

All RDR review processes will be performed in a fully non-discriminatory way, in accordance with TPSB's Title VI Program Compliance Plan.

- Outcome of RDR
 - **Responsible Party:**
<intentionally left blank>
 - **Process:**
<intentionally left blank>
- Closure of RDR
 - **Responsible Party:**
<intentionally left blank>
 - **Process:**
<intentionally left blank>
- Timeliness:
Decision reached and communicated within 45 calendar days.

Expected Outcomes for RDR Closures:

Two outcomes:

Data Correction Made — the final review finds the record inaccurate under the FMCSRs and it is corrected; or

Closed—No Data Correction Made — the record is upheld with a substantive explanation. The State's decision is final before FMCSA.

Communication:

The submitter is notified by email within 45 days. The decision email includes the RDR tracking number; the final decision and specific reasons; the decision-maker's name and title; the evidence reviewed; and a statement that the State's decision is final.

Next Steps:

The submitter is informed that the decision is final; any future or related requests concerning the record will be heard at the discretion of the State.