

DataQs State Implementation Plan



South Dakota

**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 South Dakota.

DataQs State Implementation Plan

State: South Dakota

MCSAP Lead Agency: South Dakota Highway Patrol

Initial Review Process

Roles and Responsibilities

- Persons responsible for managing DataQs for the organization
 - **Responsible Party:**
Program Manager
 - **Supervisor(s):**
Lieutenant
 - **Backups:**
NA
 - **Interactions:**
No interaction outside of the SDHP. The SDHP is the lone agency conducting inspections.
- Person(s) responsible for decision-making for the Initial Review process
 - **Responsible Party:**
Program Manager
Port Manager
Zone Sergeant
 - **Supervisor(s):**
Lieutenant
 - **Backups:**
NA
 - **Interactions:**
No interaction outside of the SDHP. The SDHP is the lone agency conducting inspections.
- Person(s) consulted for additional information or evidence
 - **Responsible Party:**
SDHP supervisory staff not involved in previous reviews
FMCSA Staff
 - **Supervisor(s):**
Lieutenant

- **Backups:**
NA
- **Interactions:**
FMCSA staff to provide regulatory guidance and/or technical support

Process Description

- Receipt of RDR
 - **Responsible Party:**
Program Manager
 - **Process:**
Requests for Data Reviews are monitored and answered by Motor Carrier Division personnel.
- Review of RDR
 - **Responsible Party:**
Program Manager
 - **Process:**
The program manager will forward the initial challenge request to the first-line supervisor of the inspector who completed the inspection.
- Outcome of RDR
 - **Responsible Party:**
First line supervisor
 - **Process:**
The first-line supervisor shall review the inspection report, supporting documents, and evidence, and conduct a video review. A first-line supervisor may include the inspector in their review process. First line supervisor shall notify the program manager of their official response and state whether the challenge is upheld or denied. This email will contain supporting evidence and documentation to support the decision
- Closure of RDR
 - **Responsible Party:**
Program Manager
 - **Process:**
The program manager will notify the motor carrier of the initial request for review of the data decision
- Timeliness:
Request opened within seven days of receipt of the request.
The initial request for data review should be completed within twenty-one days of the request.

Expected Outcomes for RDR Closures:

First line supervisor shall notify the program manager of their official response and state whether the challenge is upheld or denied. This email will contain supporting evidence and documentation to demonstrate that the decision meets the expected outcomes of a Closed RDR.

Communication:

The program manager will notify the submitter of the requested data review decision.

Next Steps:

Submitters requesting RDR reconsideration are referred to the DataQs Help Center FAQ for guidance: https://dataqs.fmcsa.dot.gov/HelpCenter/Faqs?faq_id=23

Reconsideration Review Process

Roles and Responsibilities

- Person(s) responsible for decision-making for the Reconsideration Review process
 - **Responsible Party:**
Zone Sergeant
 - **Supervisor(s):**
Lieutenant
 - **Backups:**
NA
 - **Interactions:**
No interaction outside of the SDHP. The SDHP is the only agency conducting inspections in South Dakota.
- Person(s) consulted for additional information or evidence
 - **Responsible Party:**
SDHP supervisory staff not involved in previous reviews
FMCSA
 - **Supervisor(s):**
Lieutenant
 - **Backups:**
NA
 - **Interactions:**
FMCSA staff to provide regulatory guidance and/or technical support

- Person(s) convening a panel or committee
 - **Responsible Party:**
Lieutenant
 - **Supervisor(s):**
Captain
 - **Backups:**
NA
 - **Interactions:**
NA
 - **Panel members' titles and associations:**
NA

Escalation Procedures:

The program manager shall forward the reconsideration review to the zone sergeant.

Process Description

- Review of RDR
 - **Responsible Party:**
Program manager
Zone Sergeant
 - **Process:**
The zone sergeant shall review the inspection report, inspection notes, supporting documents, evidence, and conduct a video review of the inspection. The zone sergeant may include the port manager and/or inspector from the previous review.
- Outcome of RDR
 - **Responsible Party:**
Zone Sergeant
 - **Process:**
The zone sergeant will notify the program manager of their review response and state whether the appeal was upheld or denied; this notification shall include supporting evidence and/or documentation.
- Closure of RDR
 - **Responsible Party:**
Program manager
 - **Process:**
The program manager shall notify the motor carrier of the outcome of the review, providing reasoning for the decision.

- Timeliness:

The reconsideration review should be completed within 21 days.

Expected Outcomes for RDR Closures:

The zone sergeant shall notify the program manager of their official response and state whether the challenge is upheld or denied. This email will contain supporting evidence and documentation to demonstrate that the decision meets the expected outcomes of a Closed RDR.

Communication:

The program manager will notify the submitter of the requested data review decision.

Next Steps:

Submitters requesting RDR reconsideration are referred to the DataQs Help Center FAQ for guidance: https://dataqs.fmcsa.dot.gov/HelpCenter/Faqs?faq_id=23

Final Review Process

Roles and Responsibilities

- Person(s) responsible for decision-making for the Final Review process
 - **Responsible Party:**
Lieutenant
 - **Supervisor(s):**
Captain
 - **Backups:**
NA
 - **Interactions:**
NA
- Person(s) consulted for additional information or evidence
 - **Responsible Party:**
Highway patrol staff who were not involved in the previous requests for data review and the reconsideration review
FMCSA Staff
 - **Supervisor(s):**
NA
 - **Backups:**
NA

- **Interactions:**
FMCSA staff to provide regulatory guidance and/or technical support
- Person(s) convening a panel or committee
 - **Responsible Party:**
Lieutenant
 - **Supervisor(s):**
NA
 - **Backups:**
Captain
 - **Interactions:**
NA
 - **Panel members' titles and associations:**
Highway patrol staff who were not involved in the previous requests for data review and the reconsideration review,
Member(s) of the South Dakota Trucking Association,
Federal Motor Carrier Safety Administration staff (to provide regulatory guidance and/or technical support)
The motor carrier safety official of the carrier may be invited to attend the panel meeting at the discretion of the assistant district commander.

Escalation Procedures:

Request for a final review are all given consideration and a review.

Process Description

- Review of RDR
 - **Responsible Party:**
Program manager
 - **Process:**
The program manager shall notify the Lieutenant of a request for Final Review. This notification shall include prior documentation, supporting evidence, etc.
- Outcome of RDR
 - **Responsible Party:**
Lieutenant
 - **Process:**
The Lieutenant will form a panel to review the Final Appeal. This panel may consist of the following:

Highway patrol staff who were not involved in the previous requests for data review and the reconsideration review,

Member(s) of the South Dakota Trucking Association,

Federal Motor Carrier Safety Administration staff (to provide regulatory guidance and/or technical support)

The motor carrier safety official of the carrier may be invited to attend the panel meeting at the discretion of the Lieutenant.

The panel shall meet virtually or in person.

The panel shall review all supporting evidence, documents, etc.

The panel shall review all rules and regulations pertaining to the Final Appeal.

The panel shall decide whether the Final Appeal is upheld or denied.

- Closure of RDR
 - **Responsible Party:**
Program manager
 - **Process:**
The assistant commander shall notify the program manager of the decision; this notification shall include supporting evidence and/or documentation.
- Timeliness:
The final appeal process should be completed within 45 days

Expected Outcomes for RDR Closures:

The Lieutenant shall notify the program manager of their official response and state whether the challenge is upheld or denied. This email will contain supporting evidence and documentation to demonstrate that the decision meets the expected outcomes of a Closed RDR

Communication:

The program manager will notify the submitter of the requested data review decision. If deemed necessary, the Lieutenant will be available to discuss the decision with the requestor.

Next Steps:

Submitter will be referred to the DataQs Help Center FAQ for guidance:

https://dataqs.fmcsa.dot.gov/HelpCenter/Faqs?faq_id=23