

DataQs State Implementation Plan



Virginia

**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 Virginia.

DataQs State Implementation Plan

State: Virginia

MCSAP Lead Agency: Virginia State Police

Initial Review Process

Roles and Responsibilities

- Persons responsible for managing DataQs for the organization
 - **Responsible Party:**
Virginia State Police Motor Carrier Safety Unit Organizational Coordinator
 - **Supervisor(s):**
Virginia State Police Motor Carrier Safety Unit Lieutenant
 - **Backups:**
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 - **Interactions:**
The Virginia State Police Motor Carrier Safety Unit Organizational Coordinator receives crash reports from the Virginia Department of Motor Vehicles and reviews them for Data Quality. The coordinator routes all DataQs related to crash reports as well as inspections by Virginia Department of Motor Vehicles to the appropriate Virginia State Police Motor Carrier Safety Division Sergeant (based on geographic region) for review, investigation and response.
- Person(s) responsible for decision-making for the Initial Review process
 - **Responsible Party:**
Virginia State Police Motor Carrier Safety Division Sergeant who is the Supervisor of the Inspector is responsible for the decision-making for the Initial Review process. If the inspector is a Sergeant or a member of the Virginia Department of Motor Vehicles, then another Virginia State Police Motor Carrier Safety Division Sergeant is assigned to review, investigate and respond to the request.
For Crash DataQs, the appropriate Virginia State Police Motor Carrier Division Sergeant for the approximate region will be assigned to review, investigate, and respond. This may include reaching out to local agencies for review of their crash reports.
 - **Supervisor(s):**
Virginia State Police Motor Carrier Safety Unit First Sergeant

- **Backups:**
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- **Interactions:**
Consults with Virginia Department of Motor Vehicles and Local Agencies on requests involving their inspectors or crash reports (TREDs reports).
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:**
Inspector, Court Officials or Clerks, FMCSA Division Office
 - **Supervisor(s):**
Virginia State Police Motor Carrier Safety Division Sergeant
 - **Backups:**
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 - **Interactions:**
Consults with the inspector and reviews notes and documentation including any available in car camera footage for VSP personnel.
Consults with Virginia Department of Motor Vehicles and Local Agencies on requests involving their inspectors or crash reports (TREDs reports).
May consult with 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:**
Virginia State Police Motor Carrier Safety Unit Organizational Coordinator
 - **Process:**
Receipt of Request of Data Review (RDR)

The First Level Review of the DataQ inquiry shall be initiated within 7 (seven) calendar days of submission for Initial Review in the DataQ system and shall be completed with the final decision made within 21 (twenty one) days of

submission of the request for First Level Review.

First Level Review – within 7 (seven) calendar days of submission for Initial Review, the RDR will be opened and documented in tracking workbook entitled "DataQ Status.xlsx" by the Virginia State Police Motor Carrier Safety Unit Organizational Coordinator with an assigned due date for completion before the 21 (twenty one) day deadline.

The First Level Review will be assigned to be handled by the Supervisor of the Inspector, the appropriate Virginia State Police Motor Carrier Division Sergeant.

If the Inspector is a Sergeant (or above) or member of Virginia Department of Motor Vehicles, another Virginia State Police Motor Carrier Division Sergeant will be assigned to handle the review, investigation and response based on the approximate region of the inspection.

For Crash DataQs, the appropriate Virginia State Police Motor Carrier Division Sergeant for the approximate region will be assigned to review, investigate, and respond. This may include reaching out to local agencies for review of their crash reports.

First Level Reviews of a DataQ inquiry cannot be handled by any member that participated in the issuance of the challenged inspection or assessment.

- Review of RDR
 - **Responsible Party:**
Virginia State Police Motor Carrier Division Sergeant
 - **Process:**
Review of RDR

The First Level Reviewer will update the status of the DataQ to "Open – Pending Agency Review" while the documentation provided by the Carrier/Requestor is reviewed.

The First Level Reviewer will review relevant documentation such as Inspection Report with any attachments, pictures, in car-camera footage, crash reports, consulting with court officials or clerks to verify adjudicated

citation outcomes, etc. and update the status of the DataQ to "Open – Pending Officer Comments" if they reach out to the Inspector for notes and information or "Open – Pending Local Agency Comments" if outside the Virginia State Police.

If additional information is sought and requested from the Carrier/Requestor, the First Level Reviewer will update the status of the DataQ to "Open – Pending Requestor Response".

During this time, the Carrier/Requestor has 14 (fourteen) days to provide the requested information. The review timeline is paused while awaiting a response from the Carrier/Requestor for additional relevant and material information.

If the Carrier/Requestor does not respond within the 14 (fourteen) days, the system will close the request with the status "Closed—No Requestor Response" unless a decision can be made with existing information. These 14 (fourteen) days do not count towards the timeline for the review.

- Outcome of RDR

- **Responsible Party:**

- Virginia State Police Motor Carrier Division Sergeant

- **Process:**

- Outcome

Once a determination is made, within the 21 (twenty-one) days, the First Level Reviewer will update the status of the DataQ to the appropriate outcome see "Section V. CLOSURE/COMMUNICATION".

- Closure of RDR

- **Responsible Party:**

- Virginia State Police Motor Carrier Division Sergeant who is the Supervisor of the Inspector is responsible for the decision-making and closure for the Initial Review process. If the inspector is a Sergeant or a member of the Virginia Department of Motor Vehicles, then another Virginia State Police Motor Carrier Safety Division Sergeant is assigned to review, investigate and respond to the request.

- **Process:**

- V. CLOSURE/COMMUNICATION

All decisions, at any level of review, must adequately explain the facts and analysis supporting the determination. All decisions must include FMCSA mandated information to the Carrier/Requestor.

The minimum information included shall be:

The decision maker's rank and name

Abbreviations or full identification is acceptable i.e. Sgt. First M. Last or Sgt. F. M. Last

The evidence reviewed to reach the final decision

Any evidence that can be legally uploaded to the DataQ challenge to show support for the decision to the carrier and FMCSA should be uploaded with the final decision entry

The specific reason(s) the final decision was made

The applicable state law and federal regulation should be referenced in the final decision

The final determination of the review

These determinations are chosen from the auto-populated options in the DataQ Portal

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

Closed - No Data Correction Made Decision - The request has been closed and the data will not 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 – Insufficient Information Decision - The request has been submitted with minimal factual or legal justification and is considered fundamentally unsubstantiated. This request will be closed without conducting a full substantive review unless missing information can be requested.

Directions for the escalation of the DataQ request to the next Level of Review
Link to our State's approved DataQ Implementation Plan

- **Timeliness:**

The First Level Review of the DataQ inquiry shall be initiated within 7 (seven) calendar days of submission for Initial Review in the DataQ system and shall be completed with the final decision made within 21 (twenty one) days of submission of the request for First Level Review.

Expected Outcomes for RDR Closures:

The final determination of the review

These determinations are chosen from the auto-populated options in the DataQ Portal

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

Closed - No Data Correction Made Decision - The request has been closed and the data will not 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 – Insufficient Information Decision - The request has been submitted with minimal factual or legal justification and is considered fundamentally unsubstantiated. This request will be closed without conducting a full substantive review unless missing information can be requested.

Communication:

Once a determination is made, within the 21 (twenty-one) days, the First Level Reviewer will update the status of the DataQ to the appropriate outcome.

V. CLOSURE/COMMUNICATION

All decisions, at any level of review, must adequately explain the facts and analysis supporting the determination. All decisions must include FMCSA mandated information to the Carrier/Requestor.

The minimum information included shall be:

The decision maker's rank and name

Abbreviations or full identification is acceptable i.e. Sgt. First M. Last or Sgt. F. M. Last

The evidence reviewed to reach the final decision

Any evidence that can be legally uploaded to the DataQ challenge to show support for the decision to the carrier and FMCSA should be uploaded with the final decision entry

The specific reason(s) the final decision was made

The applicable state law and federal regulation should be referenced in the final decision

The final determination of the review

These determinations are chosen from the auto-populated options in the DataQ Portal

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

Closed - No Data Correction Made Decision - The request has been closed and the data will not 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 – Insufficient Information Decision - The request has been submitted with minimal factual or legal justification and is considered fundamentally unsubstantiated. This request will be closed without conducting a full substantive review unless missing information can be requested.

Directions for the escalation of the DataQ request to the next Level of Review

[Link to our State's approved DataQ Implementation Plan](#)

Next Steps:

Burden of Proof

FMCSA has placed the burden of proof on the entity requesting DataQ review. DataQ requests have the burden to provide factual and legal justification for the changing of the roadside data.

The Virginia State Police communicates with requestors through the FMCSA DataQs system at key stages of the 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 the reviewer's information, 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 Second Level Review within 30 days of the decision.

The Virginia State Police utilizes standardized response practices to ensure consistency, transparency, and completeness in all communications with requestors:

The decision maker's rank and name

Abbreviations or full identification is acceptable i.e. Sgt. First M. Last or Sgt. F. M. Last

The evidence reviewed to reach the final decision

Any evidence that can be legally uploaded to the DataQ challenge to show support for the decision to the carrier and FMCSA should be uploaded with the final decision entry

The specific reason(s) the final decision was made

The applicable state law and federal regulation should be referenced in the final decision

The final determination of the review

These determinations are chosen from the auto-populated options in the DataQ Portal

Directions for the escalation of the DataQ request to the next Level of Review

[Link to our State's approved DataQ Implementation Plan](#)

Reconsideration Review Process

Roles and Responsibilities

- Person(s) responsible for decision-making for the Reconsideration Review process
 - **Responsible Party:**
Virginia State Police Motor Carrier Safety Unit First Sergeant
 - **Supervisor(s):**
Virginia State Police Motor Carrier Safety Unit Lieutenant
 - **Backups:**
In the event the Inspector is a direct report of the Virginia State Police Motor Carrier Safety Unit First Sergeant or if the Virginia State Police Motor Carrier Safety Unit First Sergeant is unavailable, the Second Level Review will be handled by Virginia State Police Motor Carrier Safety Unit Lieutenant (or appointed designee).
 - **Interactions:**
Consults with Virginia Department of Motor Vehicles and Local Agencies on requests involving their inspectors or crash reports (TREDs reports)
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:**
Consults with the inspector and reviews notes and documentation including any available in car camera footage for VSP personnel.
Consults with Virginia Department of Motor Vehicles and Local Agencies on requests involving their inspectors or crash reports (TREDs reports).
May consult with 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.
 - **Supervisor(s):**

Virginia State Police Motor Carrier Safety Unit Lieutenant

- **Backups:**
<intentionally left blank>
- **Interactions:**
Consults with the inspector and reviews notes and documentation including any available in car camera footage for VSP personnel.
Consults with Virginia Department of Motor Vehicles and Local Agencies on requests involving their inspectors or crash reports (TREDs reports).
May consult with 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
- Person(s) convening a panel or committee
 - **Responsible Party:**
N/A
 - **Supervisor(s):**
<intentionally left blank>
 - **Backups:**
<intentionally left blank>
 - **Interactions:**
<intentionally left blank>
 - **Panel members' titles and associations:**
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Escalation Procedures:

RECONSIDERATION REVIEW – SECOND LEVEL REVIEW

A Carrier/Requestor can request a Second Level Review of the DataQ within 30 days of the closing date of the First Level Review.

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.

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:**

The Second Level Review will be handled by Virginia State Police Motor Carrier Safety Unit First Sergeant. In the event the Inspector is a direct report of the Virginia State Police Motor Carrier Safety Unit First Sergeant or if the Virginia State Police Motor Carrier Safety Unit First Sergeant is unavailable, the Second Level Review will be handled by Virginia State Police Motor Carrier Safety Unit Lieutenant (or appointed designee).

Second Level Review of a DataQ inquiry cannot be handled by any member that participated in the issuance of the challenged inspection or assessment or their immediate supervisor.
 - **Process:**

The Second Level Review shall have the same timeline and receipt process of the Initial Review.

The Second Level Review of the DataQ inquiry shall be initiated within 7 (seven) calendar days of submission for Second Level Review in the DataQ system and shall be completed with the final decision made within 21 (twenty one) days of submission of the request for Second Level Review.
- Outcome of RDR
 - **Responsible Party:**

Virginia State Police Motor Carrier Safety Unit First Sergeant. In the event the Inspector is a direct report of the Virginia State Police Motor Carrier Safety Unit First Sergeant or if the Virginia State Police Motor Carrier Safety Unit First Sergeant is unavailable, the Second Level Review will be handled by Virginia State Police Motor Carrier Safety Unit Lieutenant (or appointed designee).
 - **Process:**

Review of RDR

The Second Level Reviewer will update the status of the DataQ to "Open – Pending Agency Review" while the documentation provided by the Carrier/Requestor is reviewed.

The Second Level Reviewer will review relevant documentation such as Inspection Report with any attachments, pictures, in car-camera footage, crash reports, consulting with court officials or clerks to verify adjudicated citation outcomes, etc. and update the status of the DataQ to "Open – Pending Officer Comments" if they reach out to the Inspector for notes and information or "Open – Pending Local Agency Comments" if outside the Virginia State Police.

If additional information is sought and requested from the Carrier/Requestor, the Second Level Reviewer will update the status of the DataQ to "Open – Pending Requestor Response".

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 Carrier/Requestor for additional relevant and material information. The DataQ will be closed with a status of "Closed – No Requestor Response" if the Carrier/Requestor does not respond to request for information within 14 days.

If the Carrier/Requestor introduces entirely new, unrequested, and relevant information or evidence that was not evaluated during the First Level Review, the Second Level Reviewer will not decide the appeal based on the new evidence. The request will be rerouted back to the First Level Reviewer to ensure a complete evaluation of the information

Outcome

Once a determination is made, within the 21 (twenty-one) days, the Second Level Reviewer will update the status of the DataQ to the appropriate outcome see "Section V. CLOSURE/COMMUNICATION".

- Closure of RDR
 - **Responsible Party:**
Virginia State Police Motor Carrier Safety Unit First Sergeant
 - **Process:**
Once a determination is made, within the 21 (twenty-one) days, the Second Level Reviewer will update the status of the DataQ to the appropriate outcome.

V. CLOSURE/COMMUNICATION

All decisions, at any level of review, must adequately explain the facts and analysis supporting the determination. All decisions must include FMCSA mandated information to the Carrier/Requestor.

The minimum information included shall be:

The decision maker's rank and name

Abbreviations or full identification is acceptable i.e. Sgt. First M. Last or Sgt. F. M. Last

The evidence reviewed to reach the final decision

Any evidence that can be legally uploaded to the DataQ challenge to show support for the decision to the carrier and FMCSA should be uploaded with the final decision entry

The specific reason(s) the final decision was made

The applicable state law and federal regulation should be referenced in the final decision

The final determination of the review

These determinations are chosen from the auto-populated options in the DataQ Portal

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

Closed - No Data Correction Made Decision - The request has been closed and the data will not 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 – Insufficient Information Decision - The request has been submitted with minimal factual or legal justification and is considered fundamentally unsubstantiated. This request will be closed without conducting a full substantive review unless missing information can be requested.

Directions for the escalation of the DataQ request to the next Level of Review
Link to our State's approved DataQ Implementation Plan

- **Timeliness:**

A Carrier/Requestor can request a Second Level Review of the DataQ within 30 days of the closing date of the First Level Review.

The Second Level Review of the DataQ inquiry shall be initiated within 7 (seven) calendar days of submission for Second Level Review in the DataQ system and shall be completed with the final decision made within 21 (twenty one) days of submission of the request for Second Level Review.

Expected Outcomes for RDR Closures:

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 the reviewer's information, a clear explanation of the facts and analysis supporting the determination, the evidence reviewed, and the applicable state law or federal regulation.

All decisions, at any level of review, must adequately explain the facts and analysis supporting the determination. The requestor is provided the outcome of the review and instructions for any available next steps.

The Virginia State Police utilizes standardized response practices to ensure consistency, transparency, and completeness in all communications with requestors. All decisions must include FMCSA mandated information to the Carrier/Requestor.

The minimum information included shall be:

The decision maker's rank and name

Abbreviations or full identification is acceptable i.e. Sgt. First M. Last or Sgt. F. M. Last

The evidence reviewed to reach the final decision

Any evidence that can be legally uploaded to the DataQ challenge to show support for the decision to the carrier and FMCSA should be uploaded with the final decision entry

The specific reason(s) the final decision was made

The applicable state law and federal regulation should be referenced in the final decision

The final determination of the review

These determinations are chosen from the auto-populated options in the DataQ Portal

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

Closed - No Data Correction Made Decision - The request has been closed and the data will not 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 – Insufficient Information Decision - The request has been submitted with minimal factual or legal justification and is considered fundamentally unsubstantiated. This request will be closed without conducting a full substantive review unless missing information can be requested.

Directions for the escalation of the DataQ request to the next Level of Review

[Link to our State's approved DataQ Implementation Plan](#)

Communication:

The Virginia State Police communicates with requestors through the FMCSA DataQs system at key stages of the 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 the reviewer's information, a clear explanation of the facts and analysis supporting the determination, the evidence reviewed, and the applicable state law or federal regulation.

All decisions, at any level of review, must adequately explain the facts and analysis supporting the determination. The requestor is provided the outcome of the review and instructions for any available next steps.

The Virginia State Police utilizes standardized response practices to ensure consistency, transparency, and completeness in all communications with requestors. All decisions must include FMCSA mandated information to the Carrier/Requestor

Next Steps:

Escalation

The carrier has 30 days to appeal a Second Level Review decision to the Final Review – Third Level Review.

Final Review Process

Roles and Responsibilities

- Person(s) responsible for decision-making for the Final Review process
 - **Responsible Party:**
The Third Level Review will be conducted by a three-person panel. This panel will be chaired by a designee appointed by the Virginia State Police Motor Carrier Safety Unit who possesses the appropriate expertise and knowledge to review DataQs, along with two CVSA-certified instructors selected by the appointed chairperson. If the designated chairperson participated in the issuance of the challenged inspection or assessment, the Virginia State Police Motor Carrier Safety Unit Lieutenant will appoint three CVSA-certified instructors to serve on the panel.
 - **Supervisor(s):**
<intentionally left blank>
 - **Backups:**
CVSA-certified instructors/ Virginia State Police Motor Carrier Safety Unit Lieutenant appointee

- **Interactions:**
The Third Level Reviewers will review relevant documentation such as Inspection Report with any attachments, pictures, in car-camera footage, crash reports, consulting with court officials or clerks to verify adjudicated citation outcomes, etc. and update the status of the DataQ to "Open – Pending Officer Comments" if they reach out to the Inspector for notes and information or "Open – Pending Local Agency Comments" if outside the Virginia State Police.
- Person(s) consulted for additional information or evidence
 - **Responsible Party:**
Consults with the inspector and reviews notes and documentation including any available in car camera footage for VSP personnel.
Consults with Virginia Department of Motor Vehicles and Local Agencies on requests involving their inspectors or crash reports (TREDs reports).
May consult with 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 panel.
 - **Supervisor(s):**
<intentionally left blank>
 - **Backups:**
<intentionally left blank>
 - **Interactions:**
Consults with the inspector and reviews notes and documentation including any available in car camera footage for VSP personnel.
Consults with Virginia Department of Motor Vehicles and Local Agencies on requests involving their inspectors or crash reports (TREDs reports).
May consult with 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 panel.
- Person(s) convening a panel or committee
 - **Responsible Party:**
Master Trooper as Chair of 3 person panel

- **Supervisor(s):**
Virginia State Police Motor Carrier Safety Division Sergeant
- **Backups:**
Designee appointed by the Virginia State Police Motor Carrier Safety Unit who possesses the appropriate expertise and knowledge to review DataQs
- **Interactions:**
<intentionally left blank>
- **Panel members' titles and associations:**
Master Trooper; CVSA Instructors

Escalation Procedures:

A Carrier/Requestor may request a Third Level Review of the DataQ within 30 days of the closing date of the Second Level Review.

Requests for Data Review (RDRs) are escalated to the Third Level (Final) Review when a requestor formally challenges the outcome of the Second Level 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 the Carrier/Requestor introduces entirely new, unrequested, and relevant information or evidence that was not evaluated during the Second Level Review, the Third Level Review Panel will not decide the appeal based on the new evidence. The request will be rerouted back to the First Level Reviewer to ensure a complete evaluation of the information.

Process Description

- Review of RDR
 - **Responsible Party:**
Master Trooper as Chair of 3 person panel (including CVSA Instructors)
Third Level Review of a DataQ inquiry cannot be handled by any member that participated in the issuance of the challenged inspection or assessment, nor any member that was involved in any review or decision at the First Level Review or Second Level Review.
 - **Process:**
Receipt of RDR
The Third Level Review of the DataQ inquiry shall be initiated within 7 (seven) calendar days of submission for Third Level Review in the DataQ system and shall be completed with the final decision made within 45 (forty five) days of submission of the request for Third Level Review.

Third Level Review will be tracked and documented in tracking workbook entitled "DataQ Status.xlsx" by the Virginia State Police Motor Carrier Safety Unit Organizational Coordinator with an assigned due date for completion before the 45 (forty five) day deadline.

Third Level Review shall be completed within 45 (forty five) days of submission of the request for Third Level Review. The review timeline is paused while awaiting a response from the Carrier/Requestor for additional relevant and material information. The DataQ will be closed with a status of "Closed – No Requestor Response" if the carrier does not respond to requests for information within 14 days. If the Carrier/Requestor introduces entirely new, unrequested, and relevant information or evidence that was not evaluated during the First Level Review or the Second Level Review, panel will not decide the appeal based on the new evidence. The request will be rerouted back to the First Level Reviewer to ensure a complete evaluation of the information.

- Outcome of RDR

- **Responsible Party:**

- Panel – Chairperson (Master Trooper appointed by Virginia State Police Motor Carrier Unit Lieutenant), 2 CVSA Instructors

- **Process:**

- Review of RDR

- The Third Level Reviewer (Chairperson or Virginia State Police Motor Carrier Safety Unit Lieutenant) will update the status of the DataQ to "Open – Pending Agency Review" while the documentation provided by the Carrier/Requestor is reviewed.

- The Third Level Reviewers will review relevant documentation such as Inspection Report with any attachments, pictures, in car-camera footage, crash reports, consulting with court officials or clerks to verify adjudicated citation outcomes, etc. and update the status of the DataQ to "Open – Pending Officer Comments" if they reach out to the Inspector for notes and information or "Open – Pending Local Agency Comments" if outside the Virginia State Police.

- If additional information is sought and requested from the Carrier/Requestor, the Second Level Reviewer will update the status of the DataQ to "Open – Pending Requestor Response".

- Outcome

- Once a determination is made, within the 45 (forty five) days, the Third Level Reviewer (Chairperson or Virginia State Police Motor Carrier Safety Unit

Lieutenant) will update the status of the DataQ to the appropriate outcome see "Section V. CLOSURE/COMMUNICATION".

The Third Level Review is the final review at the state level. The carrier will be directed to FMCSA for further review if the outcome of the Third Level Review is challenged.

- Closure of RDR

- **Responsible Party:**

- Chairperson/Appointee

- **Process:**

- CLOSURE/COMMUNICATION

- The Virginia State Police communicates with requestors through the FMCSA DataQs system at key stages of the 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 the reviewer's information, a clear explanation of the facts and analysis supporting the determination, the evidence reviewed, and the applicable state law or federal regulation.

- All decisions, at any level of review, must adequately explain the facts and analysis supporting the determination. The requestor is provided the outcome of the review and instructions for any available next steps.

- The Virginia State Police utilizes standardized response practices to ensure consistency, transparency, and completeness in all communications with requestors. All decisions must include FMCSA mandated information to the Carrier/Requestor.

- The minimum information included shall be:

- The decision maker's rank and name

- Abbreviations or full identification is acceptable i.e. Sgt. First M. Last or Sgt. F. M. Last

- The evidence reviewed to reach the final decision

- Any evidence that can be legally uploaded to the DataQ challenge to show support for the decision to the carrier and FMCSA should be uploaded with the final decision entry

The specific reason(s) the final decision was made

The applicable state law and federal regulation should be referenced in the final decision

The final determination of the review

These determinations are chosen from the auto-populated options in the DataQ Portal

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

Closed - No Data Correction Made Decision - The request has been closed and the data will not 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 – Insufficient Information Decision - The request has been submitted with minimal factual or legal justification and is considered fundamentally unsubstantiated. This request will be closed without conducting a full substantive review unless missing information can be requested.

Directions for the escalation of the DataQ request to the next Level of Review
Link to our State's approved DataQ Implementation Plan

- **Timeliness:**

Once a determination is made, within the 45 (forty five) days, the Third Level Reviewer (Chairperson or Virginia State Police Motor Carrier Safety Unit Lieutenant) will update the status of the DataQ to the appropriate outcome see "Section V. CLOSURE/COMMUNICATION".

Expected Outcomes for RDR Closures:

Outcome

Once a determination is made, within the 45 (forty five) days, the Third Level Reviewer (Chairperson or Virginia State Police Motor Carrier Safety Unit Lieutenant) will update the status of the DataQ to the appropriate outcome see "Section V. CLOSURE/COMMUNICATION".

The Third Level Review is the final review at the state level. The carrier will be directed to FMCSA for further review if the outcome of the Third Level Review is challenged.

The final determination of the review

These determinations are chosen from the auto-populated options in the DataQ Portal

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

Closed - No Data Correction Made Decision - The request has been closed and the data will not 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 – Insufficient Information Decision - The request has been submitted with minimal factual or legal justification and is considered fundamentally unsubstantiated. This request will be closed without conducting a full substantive review unless missing information can be requested.

Communication:

CLOSURE/COMMUNICATION

The Virginia State Police communicates with requestors through the FMCSA DataQs system at key stages of the 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 the reviewer's information, a clear explanation of the facts and analysis supporting the determination, the evidence reviewed, and the applicable state law or federal regulation.

All decisions, at any level of review, must adequately explain the facts and analysis supporting the determination. The requestor is provided the outcome of the review and instructions for any available next steps.

The Virginia State Police utilizes standardized response practices to ensure consistency, transparency, and completeness in all communications with requestors. All decisions must include FMCSA mandated information to the Carrier/Requestor.

The minimum information included shall be:

The decision maker's rank and name

Abbreviations or full identification is acceptable i.e. Sgt. First M. Last or Sgt. F. M. Last

The evidence reviewed to reach the final decision

Any evidence that can be legally uploaded to the DataQ challenge to show support for the decision to the carrier and FMCSA should be uploaded with the final decision entry

The specific reason(s) the final decision was made

The applicable state law and federal regulation should be referenced in the final decision

The final determination of the review

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Directions for the escalation of the DataQ request to the next Level of Review

[Link to our State's approved DataQ Implementation Plan](#)

Next Steps:

CLOSURE/COMMUNICATION

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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.

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