DataQs State Implementation Plan

West 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 West Virginia.

DataQs State Implementation Plan

State: West Virginia

MCSAP Lead Agency: PSC of WV

Initial Review Process

Roles and Responsibilities

- Persons responsible for managing DataQs for the organization
  - ***Responsible Party:***
    DataQ Analyst
  - ***Supervisor(s):***
    Chief
  - ***Backups:***
    Secretary II
  - ***Interactions:***
    Email or telephone communications with officers throughout the state involved with writing violations pertaining to the DataQ request.
- Person(s) responsible for decision-making for the Initial Review process
  - ***Responsible Party:***
    Officer responsible for the issuance of the violation in question on the DataQ request and the Public Service Commission Regional Supervisor (Major).
    *Officer
    *Corporal
    *Sergeant
    *1st Sergeant
  - ***Supervisor(s):***
    Captain
  - ***Backups:***
    Captain
  - ***Interactions:***
    Email or telephone communications with officers throughout the state involved with writing violations pertaining to the DataQ request.
- Person(s) consulted for additional information or evidence
  - ***Responsible Party:***

Supervisor
Clerk of Court
WV State POlice
FMCSA WV Division

- ***Supervisor(s):***
  Major
- ***Backups:***
  Major
- ***Interactions:***
  Email or telephone communications with officers throughout the state involved with writing violations pertaining to the DataQ request.

Process Description

- Receipt of RDR
  - ***Responsible Party:***
    DataQ Analyst.
  - ***Process:***
    Review the request. Set up a file to include the request, report and any supporting documents submitted with the request.
    *Crash-Not reportable-send to 1st review officer and supervisor
    *Crash-Not preventable- Crash Preventability Determination Program
    *Crash-Not mine: send to 1st review officer and supervisor
    *Crash- Incorrect information- send to 1st review officer and supervisor
    *Crash- Duplicate- PSC Crash Analyst for possible deletion
    *Crash- Record Missing- send to 1st review officer and supervisor
    *Crash- Not mine- send to 1st review officer and supervisor
    *Inspection-Violation incorrect- send to 1st review officer and supervisor
    *Inspection- Incorrect information- send to 1st review officer and supervisor
    *Inspection- Duplicate- send to 1st review officer and supervisor
    *Inspection- Not mine- send to 1st review officer and supervisor
    *Inspection- Missing for MC files- send report via DataQ
    *Inspection- Not mine (Driver)- send to 1st review officer and supervisor
    *Registration/Insurance MCS-150- send to 1st review officer and supervisor
    *DOT Audit/Investigation Compliance Review- send to 1st review officer and supervisor
    *Registration /Insurance Operating Authority- send to 1st review officer and supervisor
    * DOT Audit/Insurance Safety Audit- send to 1st review officer and supervisor

*Registration/Insurance Information- send to 1st review officer and supervisor
*DOT Audit/Information-Fine as a result of Notice of Claim/Notice of Violation- send to Comprehensive Investigation Program Supervisor
*Registration/Insurance MC Not Registered or Improperly Registered- send to 1st review officer and supervisor
*Complaint Fraudulent- send to 1st review officer and supervisor
*HHG Compliant-Duplicate- send to 1st review officer and supervisor
*Other RDR- send to 1st review officer and supervisor

- Review of RDR
    - ***Responsible Party:***
      Officer/Corporal/Sergeant/1st Sergeant
    - ***Process:***
      Analyst will review submitted RDR and documentation. RDR is then forwarded to the Trooper/Officer who conducted the inspection. They will then refer to original violation and documents and request additional information from RDR requestor if needed. The officer will prepare decision for response and submit the response to their Supervisor for review. The supervisor will then forward the decision to the Analyst for submission in the DataQ system.
- Outcome of RDR
    - ***Responsible Party:***
      Officer/Corporal/Sergeant/1st Sergeant
    - ***Process:***
      *Crash-Not Reportable- The officer will review the RDR and either make a final determination to change the report or not. If the change is warranted, the officer will make the change to the report.
      *Crash-Not preventable- Forwarded to the Crash Preventability Determination Program to address and make final determination.
      *Crash-Not mine: The officer will review supporting documents to verify accuracy of information and make final determination to change or not change the report.
      *Crash- Incorrect information- The officer will review supporting documents to verify accuracy of information and make final determination to change or not change the report
      *Crash- Duplicate- The officer will review supporting documents to verify accuracy of information. If the crash is a duplicate it will be forwarded to a NAS Specialist for removal of the duplicate.

*Crash- Record Missing- Officer will review supporting documents to verify accuracy of information. If the information needs corrected the officer will correct.
*Crash- Not mine- The officer will review supporting documents to verify accuracy of information. If a change is warranted the officer will correct and assign report to correct Motor Carrier.
*Inspection-Violation incorrect- The officer will review supporting documents to verify accuracy of information. The officer will determine if the violation was given properly, if not, the officer will change the report.
*Inspection- Incorrect information- The officer will review supporting documents to verify accuracy of information., If a change is warranted, the officer will change the report.
*Inspection- Duplicate- The officer will review supporting documents to verify accuracy of information. If a change is warranted, the NAS specialist will remove the duplicate report.
*Inspection- Not mine- The officer will review supporting documents to verify accuracy of information. If a change is warranted, the officer will assign the inspection to the correct Motor Carrier.
*Inspection- Missing for MC files- The analyst will send report via DataQ database.
*Inspection- Not mine (Driver)- The officer will review supporting documents to verify accuracy of information. If a change is warranted, the officer will assign the inspection to the correct Motor Carrier or driver.
*Registration/Insurance MCS-150- The officer will review the RDR and either make a final determination to change the report or not. If the change is warranted, the officer will make the change to the report.
*DOT Audit/Investigation Compliance Review- The officer will review the RDR and either make a final determination to change the report or not. If the change is warranted, the officer will make the change to the report.
*Registration /Insurance Operating Authority- The officer will review the RDR and either make a final determination to change the report or not. If the change is warranted, the officer will make the change to the report.
* DOT Audit/Insurance Safety Audit- The officer will review the RDR and either make a final determination to change the report or not. If the change is warranted, the officer will make the change to the report.
*Registration/Insurance Information- The officer will review the RDR and either make a final determination to change the report or not. If the change is warranted, the officer will make the change to the report.

*DOT Audit/Information-Fine as a result of Notice of Claim/Notice of Violation- The officer will review the RDR and either make a final determination to change the report or not. If the change is warranted, the officer will make the change to the report.
*Registration/Insurance MC Not Registered or Improperly Registered -The officer will review the RDR and either make a final determination to change the report or not. If the change is warranted, the officer will make the change to the report.
*Complaint Fraudulent- The officer will review the RDR and either make a final determination to change the report or not. If the change is warranted, the officer will make the change to the report.
*HHG Compliant-Duplicate- The officer will review the RDR and either make a final determination to change the report or not. If the change is warranted, the officer will make the change to the report.
*Other RDR- The officer will review the RDR and either make a final determination to change the report or not. If the change is warranted, the officer will make the change to the report.

- Closure of RDR
  - ***Responsible Party:***
    DataQ Analyst
  - ***Process:***
    *Crash-Not reportable- Gather supporting documents from review and attach to the response in the DataQ database.
    *Crash-Not preventable- Crash Preventability Determination Program to address
    *Crash-Not mine: Gather supporting documents from review and attach to the response in the DataQ database.
    *Crash- Incorrect information- Gather supporting documents from review and attach to the response in the DataQ database.
    *Crash- Duplicate-
    *Crash- Record Missing- Gather supporting documents from review and attach to the response in the DataQ database.
    *Crash- Not mine- Gather supporting documents from review and attach to the response in the DataQ database.
    *Inspection-Violation incorrect- Gather supporting documents from review and attach to the response in the DataQ database.
    *Inspection- Incorrect information- Gather supporting documents from review and attach to the response in the DataQ database.

*Inspection- Duplicate-
*Inspection- Not mine- Gather supporting documents from review and attach to the response in the DataQ database.
*Inspection- Missing for MC files- send report via DataQ
*Inspection- Not mine (Driver)- Gather supporting documents from review and attach to the response in the DataQ database.
*Registration/Insurance MCS-150-
*DOT Audit/Investigation Compliance Review- Review supporting documents to verify accuracy of information
*Registration /Insurance Operating Authority- Review supporting documents to verify accuracy of information
* DOT Audit/Insurance Safety Audit- Review supporting documents to verify accuracy of information
*Registration/Insurance Information- Review supporting documents to verify accuracy of information
*DOT Audit/Information-Fine as a result of Notice of Claim/Notice of Violation Review supporting documents to verify accuracy of information
*Registration/Insurance MC Not Registered or Improperly Registered Review supporting documents to verify accuracy of information
*Complaint Fraudulent- Review supporting documents to verify accuracy of information
*HHG Compliant-Duplicate- Review supporting documents to verify accuracy of information
*Other RDR- Gather supporting documents from review and attach to the response in the DataQ database.

- Timeliness:
  All RDRs will be opened within seven (7) days of submission and forwarded to the appropriate party for review and determination.
  The initial reviewer will have twenty-one (21) days to make a decision on the request and notify the supervisor and analyst of that decision. The analyst will then enter the decision into the database.
  The requestor may appeal the decision. If an appeal is submitted, the review process and associated timelines will begin again.

Expected Outcomes for RDR Closures:

*Closed- No Data Correction Made. Utilizing the template provided in the Data base to include the Officer name and rank, the supporting documents reviewed and the reasoning behind the decision. The request has been closed and the data will not be corrected.

*Closed- Data Correction Made: Utilizing the template provided in the DataQ database. The request has been closed and the data will be corrected.
*Closed-Citation Results Entered: Utilizing the template provided in the DataQ database. The request has been closed and the violation will be appended to reflect the outcome of the citation (include the appended results from the court order).
*Closed Report Not Sent: Utilizing the template provide in the DataQ database. The request has been closed, but the requested inspection was not sent. Provide a reason the request was not sent.
*Closed Report Sent: The following report(s) are attached per your request (include report numbers).
*Closed-No Request Response: The RDR will automatically close after the allotted time frame with an automated response: The request was closed because the requestor did not respond.

Communication:

Communications will be conducted through the DataQ database according to the timelines previously mentioned and/or whenever it is necessary.

Next Steps:

Clear, concise explanation of the decision with access to supporting documentation as well as contact information of the State Agency, references, policy and procedures of the FMCSA guidelines.

Reconsideration Review Process

Roles and Responsibilities

- Person(s) responsible for decision-making for the Reconsideration Review process
    - ***Responsible Party:***
      Captain with consultations from Specialist or certified instructors in the RDR request topic.
    - ***Supervisor(s):***
      Major
    - ***Backups:***
      Major
    - ***Interactions:***
      Email or telephone communications with officers throughout the state involved with writing violations pertaining to the DataQ request.

- Person(s) consulted for additional information or evidence
    - ***Responsible Party:***
      Specialist certified in accordance with the CVSA Op Policy 4, and North American Standards (NAS) Part A & B.

      Instructors certified in accordance with the CVSA Op Policy 4, and North American Standards (NAS) Part A & B.
    - ***Supervisor(s):***
      Captain
      Major
      Deputy Chief
      Chief
    - ***Backups:***
      Captain
      Major
      Deputy Chief
      Chief
    - ***Interactions:***
      Email or telephone communications with officers throughout the state involved with writing violations pertaining to the DataQ request.
- Person(s) convening a panel or committee
    - ***Responsible Party:***
      Officers certified in accordance with the CVSA Op Policy 4, and North American Standards (NAS) Part A & B.
      Instructors certified in accordance with the CVSA Op Policy 4, and North American Standards (NAS) Part A & B.
    - ***Supervisor(s):***
      Captain
      Major
      Deputy Chief
      Chief
    - ***Backups:***
      Captain
      Major
      Deputy Chief
      Chief
    - ***Interactions:***

Email or telephone communications with officers throughout the state involved with writing violations pertaining to the DataQ request.

- ***Panel members' titles and associations:***
  Manager, Motor Carrier
  Certified North American Standard Instructors

Escalation Procedures:

Initial Review
*An appeal process requesting an additional review of the supporting documents and request. Includes standard criteria and communication templates
Reconsideration Review Process
*If additional documentation can be submitted proving the need for change. Includes standard criteria and communication templates

Process Description

- Review of RDR
  - ***Responsible Party:***
    Captain
  - ***Process:***
    Review the supporting documentation and request from the Motor Carrier. Review the initial decision and supporting documentation from the original deciding officer. Request from the Motor Carrier any additional documentation needed to complete a decision.
- Outcome of RDR
  - ***Responsible Party:***
    Captain
  - ***Process:***
    After review of all supporting documents, Captain will prepare decision to be reviewed by the Major and/or North American Standard Specialists.
- Closure of RDR
  - ***Responsible Party:***
    Captain
  - ***Process:***
    Captain will forward the decision and all supporting documentation to the Analyst to submit into the RDR for closure. Analyst will close the RDR.
- Timeliness:
  All RDRs will be opened within seven (7) days of submission and forwarded to the appropriate party for review and determination.

The reviewer will have twenty-one (21) days to make a decision on the request and notify the supervisor and analyst of that decision. The analyst will then enter the decision into the database.

The requestor may appeal the decision. If an appeal is submitted, the review process and associated timelines will begin again.

Expected Outcomes for RDR Closures:

*Closed- No Data Correction Made. Utilizing the template provided in the Data base to include the Officer name and rank, the supporting documents reviewed and the reasoning behind the decision. The request has been closed and the data will not be corrected.
*Closed- Data Correction Made: Utilizing the template provided in the DataQ database. The request has been closed and the data will be corrected.
*Closed-Citation Results Entered: Utilizing the template provided in the DataQ database. The request has been closed and the violation will be appended to reflect the outcome of the citation (include the appended results from the court order).
*Closed Report Not Sent: Utilizing the template provide in the DataQ database. The request has been closed, but the requested inspection was not sent. Provide a reason the request was not sent.
*Closed Report Sent: The following report(s) are attached per your request (include report numbers).
*Closed-No Request Response: The RDR will automatically close after the allotted time frame with an automated response: The request was closed because the requestor did not respond.

Communication:

Communications through the DataQ database with updates on the 7 day mark, if not sooner utilizing templates if possible.

Next Steps:

Clear, concise explanation of the decision with access to supporting documentation as well as contact information of the State Agency, references, policy and procedures of the FMCSA guidelines.

Final Review Process

Roles and Responsibilities

- Person(s) responsible for decision-making for the Final Review process

- ***Responsible Party:***
  Deputy Chief
- ***Supervisor(s):***
  Chief
- ***Backups:***
  Specialist certified in accordance with the CVSA Op Policy 4, and North American Standards (NAS) Part A & B.
  Instructors certified in accordance with the CVSA Op Policy 4, and North American Standards (NAS) Part A & B.
- ***Interactions:***
  Email or telephone communications with officers throughout the state involved with writing violations pertaining to the DataQ request.

- Person(s) consulted for additional information or evidence
  - ***Responsible Party:***
    North American Standard Specialist
    Certified Instructors
  - ***Supervisor(s):***
    Major
    Deputy Chief
    Chief
  - ***Backups:***
    Specialist certified in accordance with the CVSA Op Policy 4, and North American Standards (NAS) Part A & B.
    Instructors certified in accordance with the CVSA Op Policy 4, and North American Standards (NAS) Part A & B.
  - ***Interactions:***
    Email or telephone communications with officers throughout the state involved with writing violations pertaining to the DataQ request.
- Person(s) convening a panel or committee
  - ***Responsible Party:***
    Officers certified in accordance with the CVSA Op Policy 4, and North American Standards (NAS) Part A & B.
    Instructors certified in accordance with the CVSA Op Policy 4, and North American Standards (NAS) Part A & B.
  - ***Supervisor(s):***
    Major
    Deputy Chief
    Chief

- ***Backups:***
  Major
  Deputy Chief
  Chief
- ***Interactions:***
  Email or telephone communications with officers throughout the state involved with writing violations pertaining to the DataQ request.
- ***Panel members' titles and associations:***
  Manager/ Motor Carrier
  Certified North American Standard Instructors

Escalation Procedures:

Initial Review
*An appeal process requesting an additional review of the supporting documents and request. Includes standard criteria and communication templates
Final Review Process
*If additional documentation can be submitted proving the need for change. Includes standard criteria and communication templates

Process Description

- Review of RDR
  - ***Responsible Party:***
    Deputy Chief
  - ***Process:***
    Review the supporting documentation and request from the Motor Carrier. Review the initial decision and supporting documentation from the original deciding officer. Request from the Motor Carrier any additional documentation needed to complete a decision.
- Outcome of RDR
  - ***Responsible Party:***
    Deputy Chief
  - ***Process:***
    After review of all supporting documents, Deputy Chief will prepare decision to be reviewed by the Major and/or North American Standard Specialists.
- Closure of RDR
  - ***Responsible Party:***
    Deputy Chief will forward the decision and all supporting documentation to the Analyst to submit into the RDR for closure.

- ***Process:***
  Analyst will include all supporting documentation and the Deputy Chief decision and close the RDR.
- Timeliness:
  Communications through the DataQ database with updates on the 7 day mark, if not sooner utilizing templates if possible.

Expected Outcomes for RDR Closures:

*Closed- No Data Correction Made. Utilizing the template provided in the Data base to include the Officer name and rank, the supporting documents reviewed and the reasoning behind the decision. The request has been closed and the data will not be corrected.
*Closed- Data Correction Made: Utilizing the template provided in the DataQ database. The request has been closed and the data will be corrected.
*Closed-Citation Results Entered: Utilizing the template provided in the DataQ database. The request has been closed and the violation will be appended to reflect the outcome of the citation (include the appended results from the court order).
*Closed Report Not Sent: Utilizing the template provide in the DataQ database. The request has been closed, but the requested inspection was not sent. Provide a reason the request was not sent.
*Closed Report Sent: The following report(s) are attached per your request (include report numbers).
*Closed-No Request Response: The RDR will automatically close after the allotted time frame with an automated response: The request was closed because the requestor did not respond.

Communication:

Email communications through the DataQ database utilizing templates to ensure consistent, detailed responses and ensuring touchpoints of the RDR.

Next Steps:

Clear, concise explanation of the decision with access to supporting documentation as well as contact information of the State Agency, references, policy and procedures of the FMCSA guidelines.