

DataQs State Implementation Plan



Wyoming

**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 Wyoming.

DataQs State Implementation Plan

State: Wyoming

MCSAP Lead Agency: Wyoming Highway Patrol

Initial Review Process

Roles and Responsibilities

- Persons responsible for managing DataQs for the organization
 - **Responsible Party:**
Commercial Carrier Lt. with the Wyoming Highway Patrol
 - **Supervisor(s):**
Captain- Commercial Carrier Section
 - **Backups:**
Major- Support Services Commander
 - **Interactions:**
Interactions are done “in house” with those involved with the commercial carrier section and may extend to the FMCSA branch in Cheyenne, WY for further assistance.
- Person(s) responsible for decision-making for the Initial Review process
 - **Responsible Party:**
New Entrant Auditor(s)
Compliance Review Investigator(s)
 - **Supervisor(s):**
Lt. - Commercial Carrier Section
Captain - Commercial Carrier Section
 - **Backups:**
Major- Wyoming Highway Patrol
 - **Interactions:**
The Data Q program for the State of Wyoming currently is run exclusively within the Wyoming Highway Patrol, Commercial Carrier Section and may extend to the FMCSA branch in Cheyenne, WY for further clarification on regulations or responses to the RDR process.
- Person(s) consulted for additional information or evidence
 - **Responsible Party:**

FMCSA- Cheyenne
Safety Investigator
State Program Manager
Federal Program Specialist

Wyoming Highway Patrol
New Entrant Auditor
Compliance Review Investigator
Lt. - Commercial Carrier Section
Captain – Crash reports
Sr. Accounting
Commercial Carrier Accounting Analyst
Commercial Carrier – MCSAP Grant Specialist
Lt.- Commercial Carrier Section

County Attorney or Court- each county (23 in WY) has to be independently contacted for verification of certain court documents when an assessment of them is not enough for a RDR response.

Wyoming Highway Patrol – Both troopers and POE officers that are a part of the Part A and B NAS instructor teaching cadre will also be contacted for questions on violations noted on an inspection and challenged in the RDR if not readily known or infrequently cited on an inspection and to confirm current inspection procedures or to determine if they have been modified.

- **Supervisor(s):**

FMCSA
Division Administrator
Wyoming Highway Patrol
Captain Commercial Carrier Section

- **Backups:**

Wyoming Highway Patrol
Major – Support Services

- **Interactions:**

Currently, the four main respondents for the State of Wyoming alternate being the original respondent to a new RDR (data q). They also reach out to each other when coming across unusual or difficult RDR's. From time to time, these respondents will reach out to the Cheyenne branch of the FMCSA

for additional guidance or resources.

From time to time, the respondents will have to confirm court documents (was the citation dismissed, amended, found guilty or not guilty, etc.) with each county court individually and possibly need to contact the attorney for that county to determine the decision behind the court outcome and whether the changes would constitute a masking violation, removal of the citation or any other possible outcomes for the RDR response.

Occasionally, the initial respondent will need to confirm with the Part A and B (level 3,2 and 1) instructors what is being taught and how the regulations are supposed to be applied per the NAS and CVSA standards. Their opinion on a particular violation may be sought to confirm or clarify the decision that is being looked at by the initial respondent to the RDR.

Another source of information might be brokers, insurance companies or other companies that may have been involved in some way based on inspectors notes, bills of lading, crash narrative notes or shipping documents noted on inspections or crashes to help determine if information or evidence is accurate or not.

Process Description

- Receipt of RDR
 - **Responsible Party:**
 - Initial Respondents: Level 1 respondents
 - New Entrant Auditor(s)
 - Compliance Review Investigator(s)
 - Level 2 Respondents
 - Compliance Review Investigator(s)
 - New Entrant Auditor(s)
 - Level 3 Respondents:
 - Lt. - Commercial Carrier Section
 - Major- Support Service Commander
 - **Process:**
 - Report request – step
 - Initial respondent will open report request. They will then obtain a copy of the report from Inspect directly or CVIEW. Report is then forwarded. Closed.
 - Timeframe- immediate. 1 day for completion

Crash- step

1. Initial respondent to review RDR
2. Quality control – request for crash report to review -RDR response changed to “local agency request”
(If report indicates no data correction will be made based on the RDR evidence, it is then closed out with the determination as to why “no data correction” was made in the RDR response. No further steps are needed)
3. Investigator (trooper, sheriff or city officer) – advise them of the information you have reviewed and what your determination is for a correction to be made. RDR response changed to “ pending officer comments”
4. Captain of Crash records (Captain Pritchard) – requires rejection of approved report to make any changes and is a part of step #3.
5. Investigator makes the corrections to the crash report and advises the initial respondent when this is complete.
6. Initial respondent closes the RDR with “data corrections made”
7. Initial respondent forwards this determination to Quality Control where it is corrected.

Timeframe (dependent on responses from carrier, officer, etc.) likely completed within 21 days. This is the one response that will lead to the greatest timeframe delays due to the multiple layers of response needed to complete the RDR.

Inspection – step

Initial respondent to review RDR. If information provided is enough for a correction, it will be done at that time (ex.- drivers name is spelled incorrectly)- Closed

If more information is needed, respondent will reach out to the carrier and “request” more information or they will reach out the inspector for “officer comments”

Once the information is collected from these responses a “data correction” or “no data correction” will be added to the RDR. Closed

If the carrier responds back directly to this “no data correction” closeout with additional evidence not provided during the first response, the original respondent will reply. If the carrier wishes to contest our response and does not provide any additional evidence, it will then go to a Level 2 response.

Timeframe (dependent on responses from carrier, officer, etc.) likely completed within 7-14 days.

- Review of RDR
 - **Responsible Party:**
Initial Respondents: Level 1 respondents

New Entrant Auditor(s)
Compliance Review Investigator(s)
 - **Process:**
See section II A(2) above
- Outcome of RDR
 - **Responsible Party:**
See section II A (2) above
 - **Process:**
See section II A (2) above
- Closure of RDR
 - **Responsible Party:**
See section II A (2) above
 - **Process:**
See section II A (2) above
- Timeliness:
See section II A (2) above

Expected Outcomes for RDR Closures:

Closed- No data correction made

This will be based on the evidence provided by the carrier (to include photos, statements, DOT regulation guidance and interps, etc.) information and evidence provided by the inspector or investigator (to include review of in-car or body cam video, audio recordings, photos, notes, etc.) and comparison of the evidence provided. It is possible for respondents to reach out to others in the initial respondent pool for assistance or to the FMCSA Cheyenne, WY branch for the same.

If the carrier responds back directly to the RDR with new evidence once it has been closed, the original respondent will reply. If the carrier responds back and disagrees with the decision but no additional evidence is provided, it is then upgraded to a Level 2 response.

Closed- Data correction made

This will be based on the evidence provided by the carrier (to include photos, statements, DOT regulation guidance and interps, etc.) information and evidence provided by the inspector or investigator (to include review of in-car or body cam video, audio recordings, photos, notes, etc.) and comparison of the evidence provided. It is possible for

respondents to reach out to others in the initial respondent pool for assistance or to the FMCSA Cheyenne, WY branch for the same.

Closed- Citation results entered

This will be based on the evidence provided by the carrier (to include court documents, dispositions, etc.) and the original citation and inspection review by the initial respondent. This may also require a call to the local county attorney in Wyoming or the county court where the citation was written. Decision will be based on this evidence and those discussions with the local county courts or attorneys.

Should the citation be dismissed due to a court adjudication based on a not guilty decision by a jury trial or bench trial, the citation and violation are removed from the inspection. Should the citation be dismissed based on a dismissed without prejudice decision, the citation will be removed from the inspection, but the violation will remain. As this decision (dismissed without prejudice) leaves room for these charges to be filed again should the county attorney deem it so.

Should the citation be removed due to a plea agreement, the citation will be removed but the violation will remain on the inspection. Should this be a masking violation, the citation will also be removed but the violation will remain and an additional response to the RDR will include "FMCSA and County Attorney have been advised that this is a masking violation."

Closed- Report not sent

This is a rarity. It would only be if the RDR requestor is not with the carrier or it appears to be a misleading or false request.

Closed- Report sent

This is based on the RDR requester, ensuring they are with the same company that was inspected or a third-party vendor. The report is reviewed in INSPECT or CVIEW (a copy without the inspectors' notes is saved) and that copy is attached to the RDR.

Closed- No requestor response

This is closed automatically by the RDR system if the carrier does not respond back to this request by the initial respondent. Should a carrier reopen this RDR at a later date, it normally is added back into the RDR queue under the timetable of its initial RDR date. These do not come back as a new RDR or have any indication in the queue they have been

reopened. Normally they are responded to when they go into the “past due” box by the original respondent.

Communication:

Use of RDR templates for certain responses (report request, officer comments, data correction made) are utilized. Other responses are dependent on the actual information provided or observed during the RDR process. Use of no data correction made template with specific respondent, dates, times and evidence reviewed are also utilized during the RDR process.

Anytime a RDR is outside the 10-day window and is “alert” in the queue, the initial respondent will try to provide an additional response to advise the requestor of the current status of the RDR and hopefully identify the delay in the response. For example, awaiting a response from an outside agency that is rarely contacted for information may take additional time not seen in other RDR’s. This will be relayed to the requestor.

Next Steps:

First, all responses to an RDR include the name, title and agency of the respondent. Some of the templates utilized also have additional information on who or how to contact for additional information on the RDR.

Some RDR responses will indicate that if additional information is requested on the evidence reviewed (such as photos or video) and a respondent wishes to obtain a copy of this evidence they will have the following attachment to the RDR, indicating this is where they must go for that evidence.

Public records request

<https://whp.wyo.gov/public-records>

Also, any closed RDR will also include the following template response:

To request a reconsideration of this RDR, please review the DataQs Help Center FAQ

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

The RDR is now closed.

Reconsideration Review Process

Roles and Responsibilities

- Person(s) responsible for decision-making for the Reconsideration Review process
 - **Responsible Party:**
Level 2 respondent team
Compliance Review Investigator(s)
New Entrant Auditor(s)
The level 2 respondent starts from “scratch” on the RDR request, reviewing the initial information or evidence that was provided by the requestor and reviewing the evidence that was provided to the initial respondent during the first RDR. When needed, the level 2 respondent will reach out to other peer groups such as Part A and B instructors, FMCSA Cheyenne, WY branch or others on the response team. This may also include additional information from local county attorneys or courts on court or citation outcomes.
 - **Supervisor(s):**
Commercial Carrier Lieutenant - WHP
Commercial Carrier Captain – WHP
 - **Backups:**
Backup would consist of the other in the Level 2 response team -see II (A) above
 - **Interactions:**
See II (A) above
- Person(s) consulted for additional information or evidence
 - **Responsible Party:**
See II (A) above
 - **Supervisor(s):**
Commercial Carrier Lieutenant - WHP
Commercial Carrier Captain – WHP
 - **Backups:**
See II (A) above
 - **Interactions:**
See II (A) above
- Person(s) convening a panel or committee
 - **Responsible Party:**
We do not utilize a panel or committee process
 - **Supervisor(s):**

- N/A
- **Backups:**
N/A
- **Interactions:**
N/A
- **Panel members' titles and associations:**
N/A

Escalation Procedures:

WHP uses the best practices for this process. When an initial RDR is closed and the requestor responds directly back to this RDR (opens up the closed RDR) with new evidence or information that was not provided during the initial RDR, it is opened and reviewed by the initial respondent. This is not considered an escalation or Level 2 response.

For those RDR's the carrier does not believe were "adjudicated" correctly by the RDR team, they are then considered a Level 2 response. These are then forwarded on to one of the Level 2 team for review.

The level 2 respondent starts from "scratch" on the RDR request, reviewing the initial information or evidence that was provided by the requestor and reviewing the evidence that was provided to the initial respondent during the first RDR. When needed, the level 2 respondent will reach out to other peer groups such as Part A and B instructors, FMCSA Cheyenne, WY branch or others on the response team. This may also include additional information from local county attorneys or courts on court or citation outcomes. A determination is then made and the RDR is closed either with a correction or not.

Process Description

- Review of RDR
 - **Responsible Party:**
Level 2 response team
Compliance Review Investigator(s)
New Entrant Auditor(s)
 - **Process:**
The level 2 respondent starts from "scratch" on the RDR request, reviewing the initial information or evidence that was provided by the requestor and reviewing the evidence that was provided to the initial respondent during the first RDR. When needed, the level 2 respondent will reach out to other peer groups such as Part A and B instructors, FMCSA Cheyenne, WY branch or others on the response team. This may also include additional information from local county attorneys or courts on court or citation outcomes. A

determination is then made and the RDR is closed either with a correction or not. Timeframe for this process is similar to the original response- 5-10 days for follow up and outreach to others in the process. Total timeframe should be within 7-10 days, depending on delays in the outreach responses.

In addition, the Level 2 respondent may need to reach out to local agencies for additional information or contact the inspectors or investigators or their supervisors for additional information should the RDR requestor provide new evidence that supports this additional follow-up. In these cases, the RDR may take longer for a decision to be made. When the time frame goes beyond 10 days for these requests, the level 2 respondent will advise the requestor of this and the reason for the delay. As explained in Section 2- (detailed process description) crashes will likely have an additional delay for completion due to the number of individuals and departments that may need to be contacted during the review and request for additional information or confirmation on the RDR requestors added evidence. A numerical timeframe for days for response is difficult to quantify.

- Outcome of RDR
 - **Responsible Party:**
Compliance Review Investigator(s)
New Entrant Auditor(s)
 - **Process:**
See II (A)2 -above
- Closure of RDR
 - **Responsible Party:**
See II (A) 2 - above
 - **Process:**
See II A (2) - above
- Timeliness:
See II A (2)- above

Expected Outcomes for RDR Closures:

Responses are the same as those outlined in section 3 (II)- above. The decision whether to uphold or overturn the initial response is based on the evidence that was reviewed during the initial response and any additional findings the Level 2 respondent has uncovered or conversations with others (FMCSA, court, county attorney, investigator, etc.) during this review

This may also include a conversation with the original respondent to determine if any new

findings would have led to a different determination by the original respondent. Findings that support the original response to the RDR will be explained in the closed RDR.

Communication:

Current practices include the use of closed no data correction made and data correction made templates in the RDR system. They would also include name, dates, evidence reviewed and how the determination was made as it applies specifically to the no data correction response and could include the WHP template for public records request if needed. See section 5 (II)

Next Steps:

Use of templates from the RDR program are used and an additional response of the below template is added:

To request a reconsideration of this RDR, please review the DataQs Help Center FAQ https://dataqs.fmcsa.dot.gov/HelpCenter/Faqs?faq_id=23.

The RDR is now closed.

Again, the respondents' name, title and agency are attached as well.

Final Review Process

Roles and Responsibilities

- Person(s) responsible for decision-making for the Final Review process
 - **Responsible Party:**
 - Level 3 respondent team
 - Commercial Carrier Lieutenant – WHP
 - Lt. is the first level 3 respondent unless the inspector who conducted the original inspection is under his chain of command. This would include all the mobile inspectors for the POE (currently 4) and the Level 1 response team (currently 4).
 - He will then review the original RDR and the evidence both respondents have utilized for the review.
 - Support Services Major - WHP
 - Major is the backup respondent for level 3. This would only be under the circumstances outlined above where Lt. is the original inspectors direct supervisor or the first level 3 respondent is unavailable.

Major was a motor carrier and has extensive CMV experience over his 25 years with the WHP.

Both have used the inspection programs the WHP utilizes, know the evidence procedures for requesting and reviewing evidence and have good relationships with FMCSA in Cheyenne, Wy and other agencies around the state for follow up investigations or evidence review.

- **Supervisor(s):**
Commercial Carrier Captain – WHP
Lt. Col -WHP
- **Backups:**
Acting Colonel – WHP- Director of WYDOT
- **Interactions:**
See 1. II (A) - above
- Person(s) consulted for additional information or evidence
 - **Responsible Party:**
<intentionally left blank>
 - **Supervisor(s):**
See list above
 - **Backups:**
See list above
 - **Interactions:**
See list above
- Person(s) convening a panel or committee
 - **Responsible Party:**
N/A
 - **Supervisor(s):**
N/A
 - **Backups:**
N/A
 - **Interactions:**
N/A
 - **Panel members' titles and associations:**
N/A

Escalation Procedures:

Same process as an original response to a level 2. If the requestor sends additional evidence directly in the closed RDR, the initial respondent will review it and complete the process.

If no additional information has been provided and the requestor is requesting further review or a reconsideration of the first 2 responses, it would go to a Level 3 response.

Process Description

- Review of RDR
 - **Responsible Party:**
Level 3 respondent team
Commercial Carrier Lieutenant – WHP
Support Services Major - WHP
 - **Process:**
Same processes are used here that are described in
Section 2- Escalation Procedures (II) and
Section 3- Detailed Process Description (II) 2
- Outcome of RDR
 - **Responsible Party:**
Level 3 respondent team
Commercial Carrier Lieutenant – WHP
Support Services Major - WHP
 - **Process:**
Same processes are used here that are described in
Section 2- Escalation Procedures (II) and
Section 3- Detailed Process Description (II) 2
- Closure of RDR
 - **Responsible Party:**
Level 3 respondent team
Commercial Carrier Lieutenant – WHP
Support Services Major - WHP
 - **Process:**
Same processes are used here that are described in
Section 2- Escalation Procedures (II) and
Section 3- Detailed Process Description (II) 2
- Timeliness:
Timetables are the same and responses are the same matrix that have been used for the initial and level 2 responses.
See section 2.- Detailed Process Description (II) A 2

Expected Outcomes for RDR Closures:

Same process as the Level 2 response

See Section 2- Detailed Process Description (II) A 2 for details

Communication:

Current practices include the use of closed no data correction made and data correction made templates in the RDR system. They would also include name, dates, evidence reviewed and how the determination was made as it applies specifically to the no data correction response and could include the WHP template for public records request if needed. See section 5 (II)

Next Steps:

All RDR responses include phrases from the templates used in the RDR system and include name, title and employer of the respondent along with additional template phrases:

This is the final review in the RDR process.

The RDR is now closed.