



# DataQs

## User Guide and Manual

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Best Practices for State Agency Users



# DataQs

## User Guide and Manual

*A practical guide for Federal and State data quality practitioners*

### Best Practices for State Agency Users

The DataQs User Guide and Manual describes standardized processes and techniques to address and resolve Requests for Data Reviews (RDRs) generated by commercial drivers, motor carriers, FMCSA and State agency users, and others, when submitted electronically to FMCSA's DataQs website. The document is designed primarily to assist FMCSA and State agency DataQs practitioners by providing straightforward, uniform, consistent, and reliable procedures for reviewing and resolving data quality inquiries. The document delineates best practices, offers tips for implementing these practices, and references a comprehensive resource guide to facilitate data integrity and consistency.

# Acknowledgments

This DataQs User Guide and Manual was developed through the collaborative efforts of State agency analysts, DataQs system developers and trainers, and data quality managers who routinely respond to 'Requests for Data Review' (RDR). The DataQs Working Group and contributors identified procedures that would provide uniform, standardized, and fair resolution of RDRs, for both the industry and the managing agencies. FMCSA is indebted for their support of this undertaking and their overall commitment to ensuring the accuracy, consistency, and timeliness of the data reported by the States to FMCSA. We appreciate their efforts to continuously improve data quality, as demonstrated by the practices presented herein.

It is anticipated that the DataQs User Guide and Manual will continue to evolve and expand as new types of Requests for Data Review are presented to the agency and States.

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# List of Acronyms

<b>ANSI</b>	American National Standards Institute	<b>MPR</b>	Master Pointer Record
<b>BASIC</b>	Behavior Analysis and Safety Improvement Categories	<b>MVA</b>	Motor Vehicle Agencies
<b>CDL</b>	Commercial Driver's License	<b>NAS</b>	North American Standard
<b>CDLIS</b>	Commercial Driver's License Information System	<b>NCCDB</b>	National Consumer Complaint Database
<b>CMV</b>	Commercial Motor Vehicle	<b>NCIC</b>	National Crime Information Center
<b>CR</b>	Compliance Review	<b>NGA</b>	National Governors Association
<b>CSA</b>	Comprehensive Safety Analysis	<b>NICB</b>	National Insurance Crime Bureau
<b>CVSA</b>	Commercial Vehicle Safety Alliance	<b>NLETS</b>	National Law Enforcement Telecommunication System
<b>DA</b>	Division Administrator	<b>OMB</b>	Office of Management and Budget
<b>DIR</b>	Driver Information Resource	<b>PAR</b>	Police Accident Report
<b>DMV</b>	Department of Motor Vehicles	<b>PIN</b>	Personal Identification Number
<b>FMCSR</b>	Federal Motor Carrier Safety Regulations	<b>PRISM</b>	Performance and Registration Information Systems Management
<b>FMCSA</b>	Federal Motor Carrier Safety Administration	<b>RCMP</b>	Royal Canadian Mounted Police
<b>GCWR</b>	Gross Combination Weight Rating	<b>RDR</b>	Request for Data Review
<b>GVWR</b>	Gross Vehicle Weight Rating	<b>SAFER</b>	Safety and Electronic Records
<b>HHG</b>	Household Goods	<b>SEA</b>	Safety Evaluation Area
<b>HMR</b>	Hazardous Materials Regulations	<b>SMS</b>	Safety Measurement System
<b>IRP</b>	International Registration Plan	<b>SOI</b>	State of Inquiry
<b>ISS</b>	Inspection Selection System	<b>SOR</b>	State of Record
<b>IT</b>	Information Technology	<b>TECS</b>	Treasury Enforcement Communications System
<b>LESC</b>	Law Enforcement Support Center	<b>USDOT</b>	United States Department of Transportation
<b>MCSAP</b>	Motor Carrier Safety Assistance Program	<b>VIN</b>	Vehicle Identification Number
<b>MCMIS</b>	Motor Carrier Management Information System	<b>VMT</b>	Vehicle Miles Traveled



# Introduction



# Introduction

The primary mission of the Federal Motor Carrier Safety Administration (FMCSA) is to reduce the number and severity of crashes involving large trucks and buses. FMCSA activities contribute to ensuring safety in motor carrier operations through strong enforcement of safety regulations; targeting high-risk carriers and commercial motor vehicle drivers; improving safety information systems and commercial motor vehicle technologies; strengthening commercial motor vehicle equipment and operating standards; and increasing safety awareness. To accomplish these activities, FMCSA works with Federal, State, and local enforcement agencies, the motor carrier industry, labor, safety interest groups, and others.

The foundation of FMCSA's data-driven safety activities is the **Motor Carrier Management Information System (MCMIS)**. MCMIS is a computerized system where FMCSA maintains a comprehensive record of the safety performance of motor carriers (truck and bus) and hazardous materials shippers that are subject to the Federal Motor Carrier Safety Regulations (FMCSR) and the Hazardous Materials Regulations (HMR). MCMIS contains crash, census, inspection, compliance review, and enforcement information.

#### **Uses of MCMIS for Compliance and Enforcement.**

For more than 10 years—until being supplanted recently by the Compliance Safety Accountability (CSA) program—FMCSA's Safety Status Measurement System (SafeStat) used MCMIS performance and compliance data to assess motor carriers in four Safety Evaluation Areas (SEAs): crashes, driver, vehicle, and safety management. FMCSA field staff used the results of the assessment to determine which carriers needed an on-site compliance review. The review information was entered into MCMIS, where safety fitness ratings (Satisfactory, Conditional, and Unsatisfactory) were assigned to carriers and made available to Federal, State, and other requestors. The Inspection Selection System (ISS) is an algorithm that currently uses MCMIS safety data to prioritize commercial vehicles/drivers for roadside inspection. By targeting the vehicles and drivers most at risk for unsafe practices, crashes are prevented and lives are saved. Both compliance reviews and roadside inspections have been proven by FMCSA to be effective in reducing the

likelihood of truck and bus crashes. MCMIS provides the technological strategy to accomplish the above by providing information to Federal, State, and local government agencies, as well as to the public, about motor carrier safety behavior and safe operations. For example, MCMIS data are used by: 1) State agencies for targeting motor carrier safety enforcement and for developing safety programs; 2) safety organizations to evaluate safety trends, promote safety programs, and evaluate the effectiveness of existing and proposed safety guidelines, enforcement standards, and rules; 3) insurance companies for evaluating potential clients; and 4) the general public to choose safe companies for household moving and bus transportation.

### **Improving FMCSA's Safety Monitoring, Evaluation and Intervention Processes Through CSA.**

Compliance, Safety, Accountability (CSA) is a new FMCSA safety program launched on December 13, 2010, to improve large truck and bus safety and ultimately reduce crashes. The centerpiece of CSA is the Safety Measurement System (SMS), which analyzes all safety-based violations from inspections and crash data to determine a commercial motor carrier's on-road performance. The new safety program will allow FMCSA to reach more carriers earlier and deploy a range of corrective interventions to address carriers' specific safety problems.<sup>1</sup> SMS evaluates the safety of individual motor carriers by considering all safety-based roadside inspection violations, not just out-of-service violations, as well as State-reported crashes, using 24 months of performance data. SMS assesses each carrier's safety performance in each of the Behavior Analysis and Safety Improvement Categories (BASICS): Unsafe Driving, Fatigued Driving (Hours of Service), Driver Fitness, Controlled Substances/Alcohol, Vehicle Maintenance, Cargo-Related, and Crash Indicator. SMS calculates a measure for each BASIC by combining the time- and severity-weighted

violations/crashes (more recent violations are weighted more heavily), normalized by exposure (e.g., number of power units, VMT, or number of relevant inspections). SMS converts each carrier's BASIC measures into percentiles based on rank relative to peers. SMS is updated monthly.

FMCSA is committed to ensuring the integrity of the State- and Federally-reported safety data in MCMIS. And, while FMCSA maintains MCMIS and disseminates the data contained therein, each State's lead MCSAP agency is considered the 'owner' of all CMV crash and inspection data generated by its agency and/or sub-agencies. The State MCSAP agency is responsible for reviewing and resolving all RDRs or disputes pertaining to the collection and reporting of State-reported safety data into MCMIS. The State submits data to the State SAFETYNET system, which uploads the data into MCMIS. FMCSA's DataQs website is the electronic means that commercial drivers, motor carriers, FMCSA and State Agency users, and others have at their disposal to dispute the quality and correctness of the data maintained and disseminated by FMCSA.

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<sup>1</sup> There are six important differences between the new Safety Measurement System (SMS) and the Agency's old measurement system, SafeStat: (1) SMS is organized by seven specific behaviors (BASICS), whereas SafeStat was organized into four broad Safety Evaluation Areas (SEAs); (2) SMS examines safety performance and issues alerts that determine the intervention level, whereas SafeStat identified carriers for compliance reviews; (3) SMS emphasizes on-road performance using all safety-based inspection violations, whereas SafeStat used only out-of-service violations and selected moving violations; (4) SMS uses risk-based violation weightings whereas SafeStat did not; (5) Following completion of a rulemaking to amend the current rules for a safety fitness determination, the Agency anticipates using SMS to propose safety fitness ratings based on a carrier's own data, whereas SafeStat had no impact on an entity's safety fitness rating; and (6) SMS provides a tool that allows investigators to identify drivers with safety problems during carrier investigations.

# Purpose

The purpose of this document is to assist FMCSA and State agency users and other data quality stakeholders by describing standardized processes and techniques for addressing and resolving RDRs generated by commercial drivers, motor carriers, and, in some cases, FMCSA and State agencies, and submitted electronically, along with supporting documentation, to FMCSA's [DataQs system](#). The document is organized into four main sections and two appendixes, as follows:

- **Background**  
What is DataQs and what is the purpose of a best practices manual?
- **DataQs Administrative Best Practices**  
'How-to' guidance and information on administering DataQs.
- **DataQs Best Practices for Resolving Individual RDR Types**  
Best practices for resolving each of the 23 types of RDRs.
- **Databases to Facilitate DataQs Research and Resolution**  
A resource guide to facilitate data accuracy and consistency.
- **Appendix I**  
16 Response Letter Templates to be used when communicating with DataQs filers.
- **Appendix II**  
**RDR Case Studies.**





# Background 1

# Background 1

## 1.1. What Is the DataQs System?

DataQs is the online system for drivers, motor carriers, Federal and State agencies, and others to file concerns about Federal and State data maintained in MCMIS and released to the public by FMCSA. The DataQs system was launched in February 2004, and the first DataQs RDR was received on February 27, 2004. FMCSA established the DataQs system in accordance with the Office of Management and Budget (OMB) [Guidelines for Implementing Section 515](#) of the Treasury and General Government Appropriations Act for Fiscal Year 2001 (P.L. 106-554). OMB directed Federal agencies subject to the Paperwork Reduction Act ([44 U.S.C. Chapter 35](#)) to establish and implement written guidelines to ensure and maximize the quality, utility, objectivity, and integrity of the information they disseminate. In accordance with Section 515 and the OMB guidelines, the DataQs system provides affected commercial motor carriers, commercial drivers, and others an opportunity to seek and obtain correction of information maintained and disseminated by FMCSA. The DataQs website is an evolving resource and is being constantly updated to ensure that DataQs users receive the most current information and assistance available.

Specifically, DataQs:

- Provides an Internet website to accept RDRs and supporting documentation (fax and/or file upload capability)
- Acknowledges receipt of RDRs
- Notifies FMCSA and/or State personnel when RDRs are received
- Accepts FMCSA and/or State postings and responses related to RDRs
- Provides automated notification capability including receipt of input and status changes
- Provides reporting capability based on pre-set parameters
- Tracks RDRs from submission through resolution.

## 1.2. What Is the Purpose of a Users Guide and Best Practices Manual?

To ensure that the DataQs system provides a reliable and effective tool for resolving data concerns, State and Federal data quality practitioners must respond to data concerns in a consistent manner in order to achieve a reasonable degree of uniformity in how States process and address DataQs requests. This *DataQs User Guide and Manual* was developed to provide guidance and recommend standardized processes, techniques, and resources for effectively addressing and resolving requests for data review. If DataQs analysts nationwide use this manual as a best practices guide, we will attain uniformity in the resolution of DataQs RDRs across all States.



# Administrative Best Practices 2





# Administrative Best Practices 2

The ability to effectively, efficiently, and fairly respond to inquiries about motor carrier safety data integrity depends in large part upon a consistent application of standardized analytical processes and techniques by State and Federal Agency personnel. This section sets forth **DataQs Administrative Best Practices** with proven effectiveness that State and Federal Agency DataQs analysts are encouraged to employ in their efforts to effectively and efficiently resolve DataQs RDRs. The following information, presented in a question and answer format, explores essential requirements of the DataQs system. Questions 2.1-2.17 relate to the general use and functionality of the DataQs system, and questions 2.18-2.33 provide more direct user guidance.

## 2.1. Who Can Enter Requests for Data Reviews (RDRs)?

Any user can enter RDRs into the system. There are four levels of DataQs users: 1) the general public; 2) commercial drivers and motor carriers; 3) FMCSA/ State agency personnel; and 4) FMCSA administrative users (FMCSA HQ and support staff).

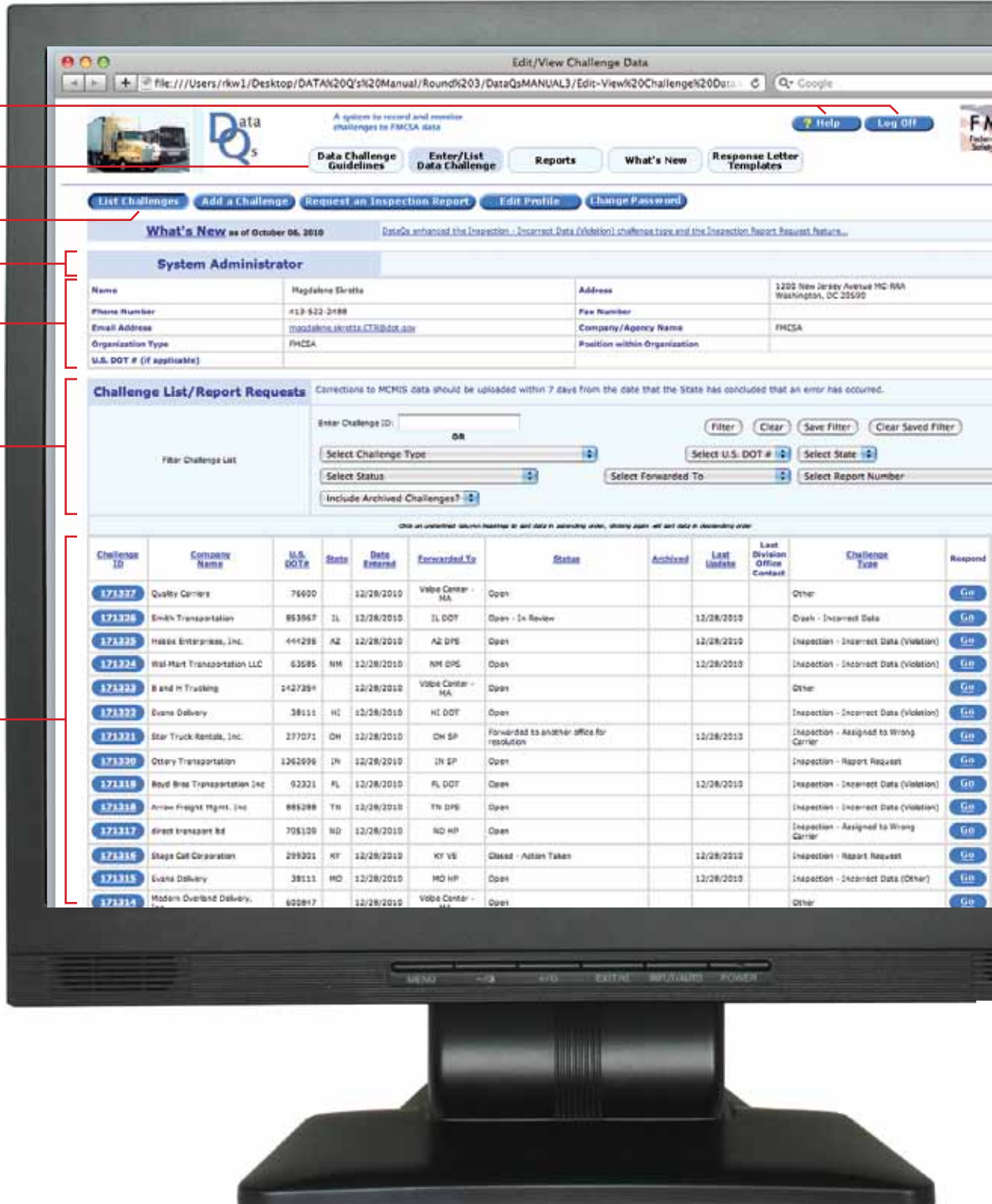
When an RDR is entered into DataQs, the system automatically forwards it to an organization based on the type of RDR and the location information provided. DataQs then sends an email notification to the receiving organization.

**Note:** No person or entity should be refused the opportunity to file an RDR to DataQs.

## 2.2. How Is the DataQs System Organized?

When a user logs into the DataQs system he/she will see the DataQs default home page. This page provides access to all functional areas of DataQs via top-level and mid-level navigation, displays user profile information, and lists the RDRs to which the user has access.

# the DataQs System



Help & Log Off

Top Level Navigation

Mid Level Navigation

Type of User

User Profile Info

Filters for Sorting  
Data Challenge List

Data Challenge List

## Top-Level Navigation

The top-level navigation appears as tabs on all DataQs web pages and allows access to:

- **RDR Guidelines** – Provides an overview of RDR types.
- **Enter/List RDR** DataQs Home Page (Enter/List RDR)
- **Reports** – Contains a list of available reports. This list is dependent on the level of the user.
- **Response Letter Templates** There are 16 Microsoft Word templates for formal response letters. This tab is visible to FMCSA/State agency users and FMCSA administrative level users. To see each of the 16 Response Letter Templates, go to [Appendix I](#).

## Mid-Level Navigation

Mid-level navigation appears on all web pages under the 'Enter/List RDR Tab' (DataQs home page). Mid-level navigation buttons displayed are:

- **List RDRs** – Links to the DataQs homepage (Enter/List RDR).
- **Add an RDR** Add a new RDR into the DataQs system.
- **Request an Inspection Report** Request a copy of an inspection report.
- **Edit Profile** – Update your user profile.
- **Change Password** – Change your password.

## User Profile Information

The user profile information is displayed below the mid-level navigation tabs. The information can be updated by selecting the 'Edit Profile' button listed above the User Profile information.

## Filters for Sorting RDR List

The RDR list can be filtered to display the RDRs that match filter selection. The fields available for filter selection will depend on the user's access rights. The fields available for a user's access level are listed below under the Data Challenge List. Filters can also be saved from session to session by selecting the 'Save Filter' button.

A saved filter will automatically be applied when a user logs into the DataQs system. When a saved filter is applied, the following text will appear to the left of the filter selection options: **SAVED FILTER APPLIED**.

The saved filter will be applied at each log-in until the 'Clear Saved Filter' button is selected.

NOTE: For saved filters to take effect, the user's browser must be set to enable the use of cookies.

## RDR List

The RDR list is displayed below the User Profile Information. The RDRs that appear in the list will depend on the user's access rights and the filtering options selected by the user.

### General public users, commercial drivers, and non-validated motor carrier users see:

- Filter Options: [RDR ID](#) or [RDR Type](#), [Status Type](#), and [Include Archived RDRs?](#)
- RDRs that have been entered into the system.

### Validated motor carrier users see:

- Filter Options: [RDR ID](#), [RDR Type](#), [Status Type](#), and [Include Archived RDRs?](#)
- RDRs that have been entered into the system
- RDRs entered into DataQs for their USDOT Number, regardless of who entered the request.

### FMCSA/State agency level users see:

- Filter Options: [RDR ID](#) or [RDR Type](#), [Status Type](#), [Include Archived RDRs?](#), [USDOT Number](#), [Forwarded To](#), and Report Number
- RDRs that have been entered into the system
- RDRs forwarded to their organization for resolution
- RDRs that were forwarded to their organization and then were forwarded to another organization.

### FMCSA administrative level users see:

- Filter Options: [RDR ID](#), [RDR Type](#), [Status Type](#), [Include Archived RDRs?](#), [USDOT Number](#), [Forwarded To](#), Report Number, and State
- All RDRs.

Columns that appear in the RDR list are dependent on user access level. Items included in the listing are:

- 1. RDR ID** – Unique DataQs assigned identifier. Click on this ID to view RDR details.
- 2. Company Name** Identifies the motor carrier or company that the RDR references.
- 3. USDOT Number\*** Identifies the motor carrier by USDOT registration number.
- 4. State\*\*** The State where the event being disputed occurred.
- 5. Date Entered** – Date the RDR was first entered into DataQs.
- 6. Forwarded To** – Short name of the organization to which the RDR is currently assigned. This can be the organization to which DataQs initially forwarded the RDR at RDR entry, or another organization to which the RDR was transferred.

### 7. Status

– Current status of the RDR.

- a. Open** The RDR was entered into the system. It was not yet viewed by the appropriate State agency user.
- b. Open - In Review** The RDR was viewed by a State agency user and is under review.
- c. Open - Pending Requestor Response** The RDR was reviewed, but the State DataQs analyst has requested that additional information be provided by the RDR filer.
- d. Forwarded to Another Office for Resolution** The State initially assigned the RDR has reviewed the RDR and determined that it should be addressed by another State's DataQs analyst, or the State requested assistance from FMCSA to resolve the RDR.
- e. Closed - Action Taken** The RDR is closed and action was taken to correct the data deficiency.
- f. Closed – No Action Taken** The RDR was closed and no action was taken based on the totality of evidence available to, and reviewed by, the State DataQs analyst.

**8. Archived** Indicates the RDR is an archived RDR when the column contains a 'Y.' If this column is blank, the RDR is not an archived RDR.

**9. Last Update** Date of last update for the RDR. If this column is blank, the RDR was entered into the system and no responses or documentation were added for this RDR.

**10. Last Division Office Contact\*** Identifies the last date that an FMCSA Division contacted the agency responsible for this RDR. The number of contacts is displayed in parentheses.

**11. RDR Type** Identifies the type of RDR entered.

**12. Respond Button** A link to enter a response for the identified RDR. You can also access the response screen from the detailed view of an RDR.

**13. Add Docs Button** A link to obtain information about uploading or faxing supporting documentation for the identified RDR.

**14. Docs (Y/N)** Indicates that supporting documentation exists in DataQs for the identified RDR when marked 'Y.' The 'Y' is a hyperlink to a documentation list.

\* This column is only visible to State, FMCSA, and administrative level users.

\*\* This column is only visible to administrative level users.

## 2.3 Who May Register for DataQs?

Anyone may enter an RDR into the system, including: commercial vehicle drivers, motor carriers, shippers, and State and Federal agency safety officials. **All users are required to register with the DataQs system.** By default, new users are assigned General Public access rights. Once registered, an RDR may be entered into the secure online system. A user's initial registration information is used to identify the requestor for all subsequent RDRs.

Each of the four DataQs user levels follows a separate DataQs registration process. Access to some DataQs reports are limited based on user level. Depending on the user level, some reports are *view only*, while others can be edited.

## 2.4. How Does One Register for DataQs?

General public users are required to fill out the online registration form found by clicking the 'Register Online' button on the login page. After filling out the form, clicking 'Submit' will bring the user back to the login page where the user can enter his/her username and password to access the system.

Commercial drivers are required to fill out the online registration form found by clicking the 'Register Online' button on the login page and selecting 'Commercial Driver' under the Organization Type selection. After filling out the form, clicking 'Submit' will bring the user back to the login page where the user can enter his/her username and password to access the system.

Motor carriers are required to fill out the online registration form found by clicking the 'Register Online' button on the login page. After filling out the form, clicking Submit will bring the user back to the login page where the user can enter his/her username and password to access the system. Motor carriers may get additional information not available to general public users through DataQs by obtaining a 'validated' status. To obtain a validated motor carrier status, motor carriers must enter their FMCSA-provided Personal Identification Number (PIN). Sixty

days of temporary validation may be obtained by faxing a request letter on company letterhead that is signed by an official of the company to (617) 494-2892.

State or Federal agency level users must complete and submit the FMCSA Information Technology Account Request Form. This form is available from FMCSA's Technical Support website at <http://infosys.fmcsa.dot.gov>, Technical Support tab.

## 2.5. How Does One Obtain a Motor Carrier Personal Identification Number (PIN)?

All motor carriers are assigned a PIN by FMCSA for accessing their data. Users may validate that they are members of a motor carrier's organization by entering their motor carrier's PIN. Validated users may get additional information not available to general public users.

Each motor carrier has been issued a PIN by FMCSA to allow them to do online transactions within many FMCSA systems. This number can be found on the FMCSA letter mailed to each carrier as a reminder of FMCSA's requirement to file a biennial update of carrier registration information (Form MCS-150). If unable to locate a PIN, users should access the [FMCSA registration web page](#). Once the user completes the PIN registration process, a notification letter with a PIN will be generated and mailed to the address that was submitted on the most recent Form MCS-150. The user should receive this letter within two weeks.

Assistance with PIN issues can be obtained by calling FMCSA technical support at 1-800-832-5660 between 8:00 am and 4:30 pm eastern time.

Sixty days of temporary validation may be obtained by faxing a request letter on company letterhead to (617) 494-2892. The letter should include the name of the person requesting temporary validation, and the letter should be signed by an official of the company.

**Note:** FMCSA is transitioning all login processes to a Single Sign-On through the FMCSA Portal. All users who need to log in to the Information System website will soon be required to use a Portal account. During



the transition, FMCSA and State Enforcement users may log in to the Information Systems website using the FMCSA Portal or the User Authentication System (UAS). In the future, all users will be required to use the FMCSA Portal in order to log in to the Information Systems website.

## 2.6. How Does One Edit/Update a Requestor Profile?

Clicking on the 'Edit Profile' button in the Mid-Level navigation will display the Requestor Profile page. Change any of the details listed, and click 'Submit,' or click 'Reset' to undo any changes that were made.

**Note:** If the Organization Type of 'Motor Carrier' is selected, the user will be required to enter his/her FMCSA-assigned motor carrier PIN number for validation. Non-validated motor carriers receive the same access rights as general public users.

## 2.7. How Does One Enter RDRs?

Any user may enter an RDR into the DataQs by selecting the 'Add an RDR' button from the Enter/List RDR screens. When the button is selected, a two-screen sequence is initiated for entering the RDR into the system.

## 2.8. What Data Are Eligible for DataQs Review and Possible Correction?

Information disseminated by FMCSA includes data reported to MCMIS per the requirements of Federal and State programs. Release of these data is done in the interest of information exchange and to satisfy the requirements of the Freedom of Information Act. Crash data reflecting a CMV involved in a reportable crash, or data documented during a roadside safety inspection, may be disputed through DataQs. These data may include information about commercial drivers, vehicles, and motor carriers. With respect to crash and roadside inspection data, the States report the occurrence and results of these events

into MCMIS. Accordingly, RDRs pertaining to data provided by State agencies must be resolved by the appropriate State agency. FMCSA considers the State's determination on the validity of an RDR as the final resolution of, or decision on, the RDR. FMCSA will not change State records without State consent. However, as noted below in [2.17](#) and [2.32](#), there are opportunities for the State to confer with FMCSA to reach a fair and equitable resolution of the RDR.

## 2.9. What Requests Are Ineligible for DataQs Review and Possible Correction?

The DataQs system is **not** the appropriate venue for addressing the following concerns:

- Requests for safety rating reviews pursuant to 49 CFR 385.15, which provides that a motor carrier may request that FMCSA conduct an administrative review if it believes the FMCSA committed an error in assigning its proposed safety rating; or [Part 385.17](#), which provides that a motor carrier that has taken action to correct the deficiencies that resulted in a proposed or final rating of 'conditional' or 'unsatisfactory' may request a rating change at any time.
- Responses to notices of claim pursuant to 49 CFR 386.14, which provides rules of practice for responding to FMCSA notices of claim.

The State DataQs Analyst should respond to these requests by directing the RDR filer to the appropriate State or FMCSA office and close the RDR with the status of 'closed no action taken.'

## 2.10. What Amount of Time Does a Requestor Have to Dispute the Data?

It is recommended that data be subject to review and possible correction for 24 months after the occurrence of a safety event. DataQs analysts should use their judgment to determine whether adequate evidence or information is available to consider RDRs submitted more than two years after an incident.

## 2.11. How Many Times May an RDR Requestor Dispute the Same Data in DataQs?

A requestor may dispute the same data in DataQs twice. RDR filers are encouraged to provide sufficient detail and documentation to support their concern when they submit their RDR.

## 2.12. How Does One Determine RDR Type?

Commercial motor carrier stakeholders that question the validity or completeness of MCMIS data and file an RDR via the DataQs website may choose from among 22 RDR options, plus an 'other' option. On the first screen, the RDR type is selected. Choices are (definitions follow):

1. **Crash – Not Reportable (No Fatality, Injury, or Towaway):** States provide a State crash report for each motor vehicle involved in a traffic accident meeting the FMCSA reportable crash standard. A reportable crash involves a qualifying vehicle with a qualifying crash severity. The filer chooses this option because he/she believes that the MCMIS crash record in question does not meet the reportable crash standard. It should be noted that the terms 'motor vehicle' and 'traffic accident' are defined differently by States and FMCSA.
2. **Crash – Not Preventable (Carrier Not at Fault):** Crash data on all vehicles **involved** in a crash meeting FMCSA's reportable crash criteria are uploaded from the State SAFETYNET system to FMCSA's MCMIS Crash File. If the crash did not involve a qualifying fatality, injury, or towed vehicle due to disabling damage, then the correct RDR type is 'Crash – Not Reportable.' *The responsibility or fault of any driver involved in the crash is not part of the reportable crash criteria.* FMCSA will consider RDRs concerning a crash event that does not meet the reportable crash criteria. The non-preventability of a crash may be considered during a carrier's compliance review (CR). However, the DataQs system may not be used to challenge crashes used to determine a carrier's safety rating as a result of a CR. The crash will remain on the carrier's profile. If an RDR filer still chooses to

dispute a crash on the basis of 'preventability,' he/she may do so. However, the information provided will be used for statistical purposes only – the RDR will not be upheld and will be *automatically closed with no action taken*. This option is provided because it is common for RDR filers to mistakenly believe that a non-preventable crash should be removed from their record.

3. **Crash – Wrong Assignment to Carrier:** Federal and State safety specialists and SAFETYNET operators work diligently to ensure that crash records are carefully matched to the USDOT Number and the MC/MX identification number for the motor carrier unquestionably involved in the crash. The USDOT Number and the MC/MX identification number are crucial to carrier identification in FMCSA's databases.

Companies that operate commercial vehicles transporting passengers or hauling cargo in interstate commerce must be registered with the FMCSA and must have a USDOT Number. Also, commercial intrastate hazardous materials carriers who haul quantities requiring a safety permit must register for a USDOT Number. The USDOT Number serves as a unique identifier when collecting and monitoring a company's safety information acquired during audits, compliance reviews, crash investigations, and inspections. Companies that operate as 'for-hire' carriers that transport passengers or federally regulated commodities, or arrange for their transport, in interstate commerce also are required to have interstate operating authority. FMCSA operating authority is referred to as an 'MC,' 'FF,' or 'MX' number, depending on the type of authority that is granted. Unlike the USDOT Number application process, a company may need to obtain multiple operating authorities to support its planned business operations. **Operating authority** dictates the type of operation a company may run, the cargo it may carry, and the geographical area in which it may legally operate.

Scenarios where a carrier or driver may assert that a crash was applied to the wrong carrier may include:

- Brokering
  - For-hire or household goods carriers
  - Registrants that own vehicles but lease to other companies
  - Multiple or mixed identification markings
  - Name confusion due to parent company with multiple subsidiaries
  - Sale of a vehicle where the buyer did not change the identifying information
  - Owner-operator leasing out his/her own vehicle or driving services
  - Leasing or renting a fleet of motor vehicles
  - Inactive, wrongly registered, out-of-service carriers
  - The driver is not the motor carrier
  - The owner of the vehicle is not the motor carrier operating the vehicle.
4. **Crash – Incorrect Data:** The filer chooses this option because he/she believes the crash record(s) in question contain inaccurate and/or incomplete information.
  5. **Crash – Duplicate:** The filer chooses this option because he/she believes that the MCMIS crash file contains duplicate crash records and/or records with redundant, identical values.
  6. **Crash – Missing from Carrier’s Report:** The filer chooses this option because he/she believes that the motor carrier’s MCMIS crash file does not contain all of the motor carrier’s reportable crashes.
  7. **Crash – Commercial Driver Data:** The filer chooses this option because he/she believes the crash record(s) in question contain inaccurate and/or incomplete information on the commercial driver(s) involved in the crash.
  8. **Inspection – Incorrect Data (Violation):** A roadside inspection is an examination of an individual CMV and driver by a MCSAP inspector using the North American Standard (NAS) guidelines. The NAS is a

vehicle and driver inspection structure established by FMCSA and the Commercial Vehicle Safety Alliance (CVSA) to determine whether CMVs and drivers are in compliance with the FMCSRs and/or HMRs. The purpose of FMCSA’s roadside inspection program is to promote detection and correction of CMV safety defects, commercial vehicle driver deficiencies, and unsafe motor carrier practices before they become contributing factors to crashes and hazardous materials incidents.

The MCMIS Inspection file documents the occurrence and results of roadside safety inspections. This inspection report contains identifying information about the motor carrier, driver, and vehicle including:

- USDOT Number
- Driver and vehicle identifiers
- A record of any violations detected during the inspection process
- An indication of whether or not the driver or vehicle was placed out-of-service (OOS) as a result of any violations detected during the inspection.

The filer chooses this option when he/she believes that the inspection record(s) in question contains inaccurate and/or incomplete violation information on the vehicles and/or drivers that underwent inspection.

9. **Inspection – Incorrect Data (Other):** The filer chooses this option when he/she believes that the inspection record(s) in question contain inaccurate and/or incomplete ‘other’ data (‘other’ than the violation data, such as incorrect driver or vehicle information).
10. **Inspection – Duplicate:** The filer chooses this option when he/she believes that the same roadside inspection was listed more than once in the motor carrier’s MCMIS inspection file.
11. **Inspection – Wrong Assignment to Carrier:** The filer chooses this option when he/she believes that an inaccurate match occurred between the motor

carrier information on the MCMIS inspection record and the carrier's registration information in the MCMIS database.

12. **Inspection – Missing from Carrier's Report:** The filer chooses this option because he/she believes that the motor carrier's MCMIS inspection file does not contain all of the motor carrier's roadside inspections.
13. **Inspection – Commercial Driver Data:** The filer chooses this option because he/she believes the inspection record(s) in question contain inaccurate and/or incomplete information on the commercial drivers involved in the inspection.
14. **Carrier Information (MCS-150):** Each motor carrier is required to file a Motor Carrier Identification Report with FMCSA as follows: 1) a motor carrier domiciled in the United States, Canada, or Mexico, or a motor carrier not domiciled in North America conducting operations in interstate commerce must file a Motor Carrier Identification Report, Form MCS-150; and 2) a motor carrier conducting operations in intrastate commerce and requiring a Safety Permit under 49 CFR Part 385, Subpart E, must file the Combined Motor Carrier Identification Report and HM Permit Application, Form MCS-150B. Each motor carrier must file the appropriate form before it begins operations, and update it every 24 months, in keeping with an established schedule. The filer chooses this option because he/she believes that the most current information in the MCS-150 filing is not reflected in the MCMIS carrier file.
15. **Compliance Review/Safety Rating:** A compliance review (CR) is an on-site examination of motor carrier operations, such as drivers' hours of service, maintenance and inspection, driver qualification, commercial driver's license requirements, financial responsibility, accidents, hazardous materials, and other safety and transportation records, to determine whether a motor carrier meets FMCSA's safety fitness standard. The CR is performed by FMCSA and/or State safety officials to investigate potential safety violations, to investigate complaints, or in response to a carrier's request for a change in safety rating. Based on data collected during the CR, FMCSA determines whether the carrier has in place and functioning adequate safety management controls to meet the safety fitness standard prescribed in [49 CFR Section 385.5](#), and assigns a safety rating of Satisfactory, Conditional, or Unsatisfactory to the motor carrier. The filer chooses this option because he/she believes that data collected during the CR were inaccurate or incomplete, resulting in the assignment of an inaccurate safety rating. The appropriate State analyst would review the allegation of inaccurate or incomplete data in a CR performed by State officers. An RDR concerning a CR performed by Federal officials would be resolved by FMCSA.
16. **Operating Authority (OP-1, OP-2):** Before beginning interstate operations in the United States, all for-hire motor carriers of non-exempt property and passengers, brokers, and freight forwarders based in the United States or Canada must obtain operating authority. Depending upon the type of business operation (motor carrier, broker, freight forwarder, shipper, vehicle registrant, and/or cargo tank facility), and what will be transported (property, hazardous materials, and/or passengers), companies may be required to register for both Interstate Operating Authority (Form OP-1 or Form OP-2) and a USDOT Number (Form MCS-150). The applicant may not begin operation until after it has received the certificate, permit, or license for operating authority from FMCSA. The company filing the RDR chooses this option because, for example, (a) it has experienced difficulty obtaining the required operating authority, or (b) it was cited for not having it.
17. **Safety Audit:** A Safety Audit is an examination of a new entrant motor carrier's operations to review the operational requirements of the FMCSRs and applicable HMRs and to make an assessment of the carrier's safety performance and basic safety management controls. Safety audits do not result in safety ratings. Safety audits are conducted on new entrant motor carriers once the new entrant has been in operation long enough to have accumulated sufficient interstate records to allow FMCSA or State officials to evaluate the adequacy of its basic safety management controls. Failure



to demonstrate basic safety management controls may result in the carrier having its new entrant registration revoked. The filer may choose this option because he/she believes incorrect and/or incomplete safety data were collected during the safety audit examination, causing the revocation of its new entrant registration. It is recommended, however, that the DataQs analyst refer the filer to [49 CFR 385.327](#), which contains the process for appealing a failed safety audit based upon an error in the determination that the carrier's basic safety management controls are inadequate.

18. **Insurance Information:** For-hire motor carriers of property operating CMVs in interstate, foreign, or intrastate commerce, and for-hire carriers of passengers operating in interstate or foreign commerce, must meet minimum financial responsibility requirements – usually through insurance policies for the minimum amount required by law. The motor carrier must have proof of the minimum level of insurance at the company's principal place of business. Financial responsibility levels are reviewed for adequacy by FMCSA or State safety officials during the course of compliance reviews and safety audits. The filer chooses this option because he/she believes incorrect and/or incomplete financial responsibility data were collected by safety officials during a CR or safety audit.
19. **Enforcement Action:** FMCSA enforcement cases and civil penalty claims are initiated following the identification and documentation of serious safety violations during compliance reviews, complaint investigations, roadside inspections, or other investigations. The filer chooses this option because he/she believes the violations identified during the safety investigation were inaccurate.
20. **Interstate Carrier – Unregistered (No USDOT Number):** Companies that operate commercial vehicles transporting passengers or hauling cargo in interstate commerce must be registered or have operating authority granted by FMCSA and must have a USDOT Number. Also, commercial intrastate hazardous materials carriers that haul quantities of hazardous materials requiring a safety permit must obtain a USDOT Number. The USDOT Number serves as a unique identifier when collecting and monitoring a company's safety information acquired during audits, compliance reviews, crash investigations, and inspections. The filer chooses this option to dispute the contention that the motor carrier does not have a USDOT Number and is operating without authority. The filer may also choose this option as a way to notify FMCSA Division and State agency officials that the carrier is operating without the proper operating authority.
21. **HHG Complaint – Fraudulent (Did Not Do Business):** Interstate moves of household goods are governed by FMCSA rules and regulations. Customers who wish to submit a safety-related complaint involving an interstate move against a moving company or driver have two options: use the [National Consumer Complaint Database \(NCCDB\)](#) website at <http://nccdb.fmcsa.dot.gov> or use the toll free hotline 1-888-DOT-SAFT (1-888-368-7238) available from 9:00 AM to 7:00 PM, Monday through Friday Eastern Time. The RDR filer chooses this option when he/she contends that a household goods complaint received by FMCSA through the NCCDB website or hotline and maintained in the carrier's permanent file is fraudulent. A complaint is considered fraudulent if it can be proven that the filer of the complaint intentionally provided false information about a carrier. A fraudulent claim might involve a complaint from an individual who did not have any business relationship with the subject carrier.
22. **HHG Complaint – Duplicate (Two Identical Complaints):** The filer chooses this option when he/she contends that the household goods complaint duplicates a complaint previously received by FMCSA via the NCCDB or the toll-free hotline.
23. **Other:** The filer chooses this option after determining that none of the other 22 RDR options adequately describes the nature of his/her data review request. The filer may also not know or understand the RDR choices available.

## 2.13. What Constitutes ‘Supporting Documentation?’

Numerous RDRs are filed with little or no specific information to reasonably support the RDR. During the course of researching an ‘incomplete’ RDR, the DataQs analyst may determine that additional supporting information is needed. Depending on the nature of the RDR, and the quality and relevancy of documentation initially provided by the filer, DataQs analysts should seek information from a variety of State, Federal, motor carrier, and driver sources in order to conclusively resolve the issue(s) at hand. Possible sources of information include: State inspection reports; State crash reports; FMCSA’s Driver Information Resource (DIR) (a web-based tool that provides easy access to individual driver safety performance and compliance history and is available to FMCSA and State enforcement personnel via [A&I Online](#)); State Department of Motor Vehicles (DMV) databases; CMV registration and driver’s licensing databases; etc. Another helpful, comprehensive source of information is [A Motor Carrier’s Guide to Improving Highway Safety](#), a product of FMCSA’s Educational and Technical Assistance program. Other relevant information may be obtained from the motor carrier or driver, including shipping papers, leases, etc. In sum, the DataQs analyst, or other requestor, should request any such information and documentation he/she deems necessary to support the RDR.

Supporting documentation is essential to an RDR. When a filer submits supporting documentation with his/her RDR, it is more likely that the RDR will be conclusively resolved. For example:

- 74% of RDRs involving crash data that were submitted with supporting documentation were closed with an action taken, as opposed to 59% of RDRs that did not include supporting documentation.
- 71% of RDRs involving inspection data that were submitted with supporting documentation were closed with an action taken, as opposed to 53% of RDRs that did not include supporting documentation.

## 2.14. How Much Supporting Documentation Is Sufficient to Render Judgment?

States make a determination on a case-by-case basis as to whether a requestor submitted sufficient documentation to support his/her RDR. This determination should be based on all evidence presented by the requestor, and/or documentation provided by the inspector or officer who recorded the crash or inspection data. There are additional resources available to the DataQs analyst, as noted in [Section 4](#) of this document, to assist in corroborating and validating claims made in an RDR. The State should exercise good judgment and discretion in making determinations. A letter to the State from the driver or the carrier simply claiming the data reported are in error, or requesting that data be removed from his/her profile, are examples of insufficient supporting documentation. To help close this information gap, DataQs analysts are encouraged to request additional information from RDR filers.

Any documentation provided by the RDR filer, and/or the inspector or officer who recorded the inspection or crash data, should be sufficient to allow the DataQs analyst to accurately assess the issue and render an informed judgment on the filer’s claim. This, in turn, will expedite the review process and lessen the likelihood that the RDR filer will request reconsideration of the claim.

## 2.15. What if the DataQs Analyst Determines That Additional Supporting Documentation Is Required of the RDR Filer?

Once the DataQs analyst determines that additional supporting documentation is required before an informed judgment can be made about the data request, he/she should take the following steps:

- a) Notify the filer through DataQs that additional supporting information is required.
- b) Notify the filer that the RDR will remain ‘Open – Pending Requestor Response,’ and that the RDR filer will have **60 calendar days** to provide the necessary documentation to the State through DataQs.

If the necessary documentation is not uploaded to DataQs within 60 calendar days, the RDR will be closed with no action taken, and the RDR filer will be so notified.

## 2.16. How Does One Add Supporting Documentation?

Supporting documentation can be **faxed** into DataQs, or electronic files can be **uploaded** directly into the system.

To upload or fax supporting documentation select 'Go' in the Add Docs column in the RDR List. Additionally, the 'Add Supporting Documentation' button is available on the add-an-RDR acknowledgment screen, the response screen, or the detailed view of an RDR screen.

When a user selects the 'Add Supporting Documentation' option, instructions for faxing or uploading documentation are displayed. Faxed documents are sent to a fax number dedicated to the DataQs system. After the fax is sent, the supporting documentation will be available for review through the DataQs system. Users can review the data in the RDR List by clicking on the 'Y' link in the 'Docs' column for a specific RDR.

When documents are uploaded or faxed into the system, an email notification is sent to users with access rights for the RDR.

## 2.17. How Should a State DataQs Analyst Respond When a Requestor Is Not Satisfied with the State's Determination of an RDR?

If a requestor expresses dissatisfaction with the State's determination about an RDR, he/she should be directed to forward a request specifically citing regulations or procedures not followed during the inspection, for the State to reconsider the dispute. The State DataQs analyst is encouraged to revisit the particulars of the RDR with colleagues from his/her agency and State. The RDR and any information

provided by the RDR filer or identified by the DataQs analyst during the review process should be shared with these reviewers. Sometimes, unusual or particularly complicated RDRs require this added review. The analyst should follow the appropriate chain of command within his/her agency and State. If the State's original decision is upheld and the RDR filer remains dissatisfied with the State's explanation for the denial, the analyst should discuss the RDR with the FMCSA Division Administrator (DA) or the DA's DataQs division office designee.

If necessary, the FMCSA DA or his/her designee will confer with the appropriate subject matter experts at FMCSA headquarters and review the filer's RDR and any supporting documentation. After careful review and consideration, a response should be returned to the State by FMCSA within a reasonable period of time. (Keep in mind that some violations impact a carrier's Safety Fitness Determination, and these values are updated monthly.)

It is important that the DataQs analyst be as clear and specific as possible in his/her response to the RDR. This will help the requestor understand the State's decision about the RDR and help educate the requestor about regulations and the State's adoption and interpretation of FMCSRs and applicable HMRs. The analyst's response to the requestor also helps document the State's review and resolution of the RDR, in case the requestor reopens his/her RDR, enters a second RDR, or the data in dispute become a part of litigation.

## 2.18. Should a Dismissed Citation Be Removed from a Motor Carrier's Inspection File?

If a State Enforcement Official cites a driver for a violation, writes a citation, and then later the citation is dismissed by a judge, the State does not have to remove the violation from the inspection report. However, it is recommended that the DataQs analyst practice good judgment by reviewing the specifics of the judge's dismissal. If the citation was dismissed because the violation cited was cited erroneously, then the record should be removed from the motor carrier's inspection file.

## 2.19. Should Recently Updated Safety Violation IT Codes Be Applied Retroactively?

No. In order to improve the safety of commercial motor vehicles and save lives, FMCSA periodically updates existing IT codes for safety violations, promulgates new ones and, as soon as practicable, updates its information systems (e.g., SAFETYNET and Aspen<sup>2</sup>) to (1) accommodate prompt application of the updated and/or new IT codes and (2) allow the violation data to be accurately and promptly incorporated into the MCMIS inspection file. However, there may be an unavoidable time delay before the new safety violation IT codes are incorporated into FMCSA's information systems software. For example, on November 4, 2010, FMCSA's information systems software was upgraded to accommodate new speeding violation IT codes with these new violation codes eligible for use by safety inspectors and by SAFETYNET operators uploading to MCMIS no earlier than November 4, 2010. RDR filings requesting that violation IT codes be applied retroactively – in this case to inspections conducted prior to November 4, 2010 – should be closed with no action taken. *Recently implemented safety violation IT codes such as these speeding violations are not applied retroactively.*

## 2.20. What DataQs System Capabilities Can a State DataQs Analyst Access?

DataQs provides users with a Web-based system to enter and respond to data quality RDRs. State DataQs analysts have access to the following DataQs system capabilities:

- Entering data quality RDRs into the DataQs system
- Receiving email notification when items are posted for their organization or there is a change of status for their organization's RDRs
- Viewing RDRs that they entered into DataQs
- Reviewing RDRs identified for resolution by their organization

- Reviewing all RDRs for their State and responding appropriately
- Reviewing status of RDRs in their RDR list
- Reviewing supporting documentation uploaded or faxed into the system for each RDR
- Adding additional information to an RDR via response screen, file upload, or fax
- Generating/reviewing printer-friendly reports of their RDRs
- Requesting additional information from the requestor
- Downloading formal response letter templates for customization to specific RDRs
- Posting status changes/responses to data quality RDRs
- Posting notes to data quality RDRs
- Forwarding RDRs to other organizations for resolution.

## 2.21. How Does One Enter a Request for a Copy of an Inspection Report?

Any user can enter a report request into DataQs by selecting the 'Request an Inspection Report' button from the Enter/List RDR screens. When the button is selected, an input screen collects specific information about the report being requested.

**Note:** Not all States use the DataQs system to process requests for copies of inspection reports. Those States have been identified and no longer receive these requests. A recent enhancement to the DataQs website requires that RDR filers first enter the name of the State where the inspection occurred. If that State *does not* provide inspection reports through DataQs, State-specific information is provided, instructing filers on how to obtain inspection reports. For those States that *do* provide copies of inspection reports through the

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<sup>2</sup>The Aspen driver/vehicle safety inspection system enables law enforcement agencies to perform roadside safety inspections and to transfer those inspection results into the State and National data systems.



DataQs system, the DataQs analyst should mark the request 'Closed – Action Taken' if a report is provided to the requestor. If no report is provided, the DataQs analyst should mark the RDR as 'Closed – No Action Taken.'

## 2.22. Who Responds to an RDR?

State DataQs analysts review and respond to the majority of RDRs. Administrative-level users who are FMCSA employees and FMCSA Service Center and Division staff members may also respond to an RDR. When entering an RDR into DataQs, the user selects an RDR type and identifies the State where the event occurred. The system automatically notifies the appropriate State agency of the pending RDR. State and FMCSA users may forward RDRs to other State agencies registered in the system if an RDR was routed to the wrong State. For example, if a carrier mistakenly enters its State of domicile instead of the State where the crash or roadside inspection occurred, it will be incorrectly routed (to the wrong State). The system is designed to allow one State to redirect the RDR to the appropriate State that reported the data into MCMIS.

## 2.23. How Much Time Does the State Have to Respond to a DataQs RDR?

RDRs should be reviewed in a timely fashion. FMCSA's goal is for a response time within 10 business days. RDRs should be opened and investigated soon after they are received. FMCSA sends weekly reminder alerts to the State DataQs analyst concerning RDRs open more than 10 days. FMCSA Divisions are alerted about RDRs open for more than 17 days.

## 2.24. How Is the RDR Filer Kept Informed of the Status of the RDR During the Review and Resolution Process?

The following status options are built into the DataQs system and should be considered and updated throughout the review and resolution process. The use

of the six status options shown below is demonstrated in the DataQs case studies provided in Appendix II.

- **Open:** The RDR was entered into the system. It has not yet been viewed by the appropriate State agency user.
- **Open – In Review:** The RDR was viewed by a State agency user and the RDR is under review. The status is automatically changed when the RDR is opened the first time.
- **Open – Pending Requestor Response:** The RDR was reviewed but the State DataQs analyst has requested that additional information be provided by the RDR filer. The filer will have 60 calendar days to provide the necessary documentation or requested information to the State.
- **Forwarded to Another Office for Resolution:** The State initially assigned the RDR has reviewed the RDR and determined that it should be addressed by another State's DataQs analyst, or the State requested assistance from FMCSA to resolve the RDR.
- **Closed – Action Taken:** The RDR is closed, and action was taken to correct the data deficiency.

**Note:** Do not mark the status of the RDR as 'Closed – Action Taken' if research was performed *but no corrections were made* to the RDR filer's record. The status 'Closed – Action Taken' should be used *only after* any necessary edits have been made to correct the RDR filer's record. Once an RDR is received and the State has determined through its investigation process that there *are* data deficiencies, the data should be corrected in the State and/or Federal systems. The changes must be made in SAFETYNET and then uploaded to MCMIS.

- **Closed – No Action Taken:** The RDR was closed and no action was taken based on the totality of evidence available to, and reviewed by, the State DataQs analyst. The requestor's profile will remain unchanged. However, the State **should** provide the requestor with a response that includes sufficient information to support the State's determination and inform the requestor why their RDR was denied.

**Note:** The ‘Crash – Not Preventable’ RDR will be automatically assigned the ‘Closed – No Action Taken’ status by the DataQs system. RDRs concerning the *preventability* of a crash are never assigned to a State agency for review and resolution. Data about the number of RDRs received pertaining to *preventability* are recorded by the system for statistical purposes only.

## 2.25. How Does One View Details of an RDR?

Clicking on the RDR ID number in the RDR List will retrieve a detailed view of the RDR.

The detailed view displays the information collected during RDR entry; identifies the user who entered the RDR into the system; displays each response to the RDR (with the most recent entries listed first); and links to a list of supporting documentation added to the DataQs for the displayed RDR.

Clicking on the ‘Create PDF File’ icon in the Detail View screen enables the user to access a PDF file version of RDR details. The user can view the PDF version, save it, or print it.

## 2.26. How Does One Change the RDR Type?

A user can change the RDR type for a given RDR by clicking on the corresponding RDR ID link, which takes the user to the Detail View for the RDR. Here the user can click on the ‘Change RDR Type’ link below the RDR Type section. Clicking on the ‘Change RDR Type’ link will take the user to the Change RDR Type screen, where a checklist of possible RDR types is available. The checklist includes types other than the original RDR type.

After selecting the new RDR type, the user must then click on the ‘Continue’ button, which takes the user to a detailed view of the RDR. All RDR information on this screen is editable by the user. Depending on the new RDR type, the user may be required to enter additional RDR information before proceeding. The user may also opt to not make any changes to RDR information. Once the user makes additional changes to the RDR information, the user can click on the ‘Submit’ button

in order to save these changes. A ‘Reset’ button is also available in addition to the ‘Submit’ button in case the user would like to revert to the original RDR information at any time before clicking on ‘Submit.’

Clicking on the ‘Submit’ button takes the user to the RDR Confirmation screen. This screen enables the user to either upload additional documentation or return to the list of RDRs

Once a change of RDR type is submitted, a response is added to the response list for that particular RDR. This response can be found in the Detail View for the RDR under Response List. The response describes the change from one RDR type to another.

General public users, commercial drivers, and motor carriers are able to change the RDR type for open RDRs only. FMCSA/State agency users and FMCSA administrative users are able to change the RDR type of open and closed RDRs.

**Note:** RDR Type ‘Crash – Not Preventable’ (carrier not at fault) may not be changed by the user.

## 2.27. How Does One Add a Response to an RDR?

**(Note: FMCSA/State agency users must manually change the status of RDRs to which they respond.)**

Users can respond to an RDR from two locations within DataQs. The first is by selecting ‘Go’ in the Respond column of the RDR List. The second is by selecting ‘Add Response’ from the detailed view of an RDR. Responses to RDRs are posted in DataQs and are available for review on the detailed view screen for an RDR.

The response screen allows users (with access rights to the RDR) to enter responses. FMCSA/State agency users and FMCSA administrative users may also change the status of RDRs from this screen. When a response is added for an RDR, email notifications are sent to both the organization responsible for the RDR and the RDR filer. This allows users to participate in a dialogue to resolve the RDR. For example, if a motor carrier entered an RDR into DataQs but did not

provide enough detail for the Federal or State agency to resolve the issue, that agency could then use the response screen to ask for the specific information needed.

FMCSA/State agency users and FMCSA administrative users can also forward RDRs from this screen by clicking on the 'Forward RDR to Another Agency for Resolution' link. The RDR filer will receive an email notification that a response was added for the RDR. When the RDR filer logs into DataQs and reads the response, he/she will know what additional information is needed. He/she can provide this information by responding through DataQs. The Federal or State agency will receive an email notification that additional information was added for the RDR. After reviewing the additional information, a determination of the merits of the RDR can be made; the status of the RDR can be changed; and, if necessary, a formal response letter can be generated using the templates provided within DataQs or by sending an informal email message. The formal response letter can be uploaded into the system for review by the RDR submitter.

## 2.28. How Does One Forward an RDR to Another Organization?

FMCSA/State agency users and FMCSA administrative users can forward an RDR to another organization for final resolution. The detailed view of an RDR screen allows these users to click on the button 'Forward RDR.' The Forward RDR screen allows the user to select the new organization that the RDR will be transferred to and to add a comment that will be posted with the RDR. When the DataQs system transfers the RDR, an email notification is sent to the receiving organization and the user that submitted the RDR. The RDR status of an open RDR is updated to 'Forwarded to Another Office for Resolution.' When an organization forwards an RDR to another organization, the RDR remains in the original organization's RDR List. The 'Forwarded To' column will list the newly assigned organization. The State DataQs analyst should not close the RDR once it is forwarded. Once forwarded, the RDR will continue to appear in the RDR

List for reference purposes only. The responsibility for resolving the RDR is now with the agency that received the forwarded request. The status should be maintained and updated by that agency.

**Note:** To reduce the number of organizations listed in the agency selection list, select the type of organization or a State and select the 'Reduce Agency List' button. The resulting selection list will consist of the organizations that matched the criteria entered.

## 2.29. How Does One View Reports?

Clicking on the 'Reports' button at the top of any DataQs screen takes the user to the Reports screen. This screen contains reports that may be viewed and printed for open and closed RDRs. Many reports can be filtered by agency assigned to address the RDR and date of RDR entry as identified below.

Views are available in HTML and PDF formats. Clicking on an HTML version of a report gives the user the opportunity to print the report immediately or to simply view it as a Web page. Clicking on the 'Download Data' link in the HTML version enables the user to download the data in a comma-separated values (CSV) file format. Clicking on the PDF version of a report allows the user to view it, save it as a file, or print it.

General public users, commercial drivers, motor carriers, FMCSA/State agency users, and FMCSA administrative level users (FMCSA HQ and support staff) see the following reports:

- **All RDRs** – All RDRs for the user's account, whether open or closed, will be listed.
- **Open RDRs** – Only open RDRs will be listed.
- **Closed RDRs** – Only closed RDRs will be listed.
- **Summary by RDR Type & Status by Organization** – All RDRs ordered by the agency that received the RDR, type of RDR, and status of RDR are listed. Status information offers more detail than simply open or closed categories.

FMCSA/State agency users and FMCSA administrative level users (FMCSA HQ and support staff) see all previous reports, as well as the following:

*The following reports are filterable by the agency assigned to address the RDR:*

- **RDR Summary by Status** – All RDRs ordered by RDR status and percentage breakdown for the account user are listed.
- **RDR Summary by Type** – All RDRs by type, subtotals, and percentage breakdown for the account user are listed. Reports for breakdowns of RDR type subcategories of inspections and crashes are also available below the RDR type breakdown report. The report and subreports also display the results graphically in a pie chart.
- **RDR Summary by Type and Status** – All RDRs by type and status for the logged-in user are displayed.
- **Monthly Totals of New/Closed RDRs** – Data regarding the number of new RDRs entered and RDRs closed are listed by month and year in this report, which includes a chart that shows the historical data from month to month. (This report cannot be filtered by dates.)

*The following reports cannot be filtered:*

- **Open RDR Summary by Organization Type** – All open RDRs visible to the logged-in user are summarized by the organization type. The report categorizes the RDRs by days open.
- **Closed RDR Summary by Organization Type** – All closed RDRs visible to the logged-in user are summarized by the organization type. The report categorizes the RDRs by days to close.
- **All RDRs for a Specific USDOT Number** – All open, closed, and archived RDRs will be displayed by the specific USDOT Number, regardless of agency assignment.

FMCSA administrative level users (FMCSA HQ and support staff) see all previous reports, as well as the following:

*The following reports are filterable by the agency assigned to address the RDR:*

- **Open RDR Summary by Organization** – All open RDRs in the DataQs system are summarized by the organization currently assigned to address the RDR. The report categorizes the RDRs by days open.
- **Closed RDR Summary by Organization** – All closed RDRs in the DataQs system are summarized by the organization currently assigned to address the RDR. The report categorizes the RDRs by days to close.

*The following report cannot be filtered by agency:*

- **New User Registrations** – Historical data regarding the number of new registrations by motor carriers per month is available in this report.

## 2.30. How Does One View Archived RDRs?

- **From the RDR List Page** – After selecting the ‘Enter/List RDR’ option from the DataQs menu at the top of the page, select ‘Yes’ in the dropdown marked ‘Include Archived RDRs?’ and then press the ‘Filter’ button. The RDR List will be generated and will include any archived RDRs along with the open RDRs currently being reviewed and the RDRs that were closed. Archived RDRs will not appear on the RDR List until the user selects to view them. Archived RDRs will be updated in the database on a weekly basis.
- **From the Reports Page** – After selecting the ‘Reports’ option from the DataQs menu at the top of the page, check off the ‘Include Archived RDRs’ box. When this box is checked, the website will generate new results that include the archived RDRs.



### 2.31. How Does One Provide Feedback?

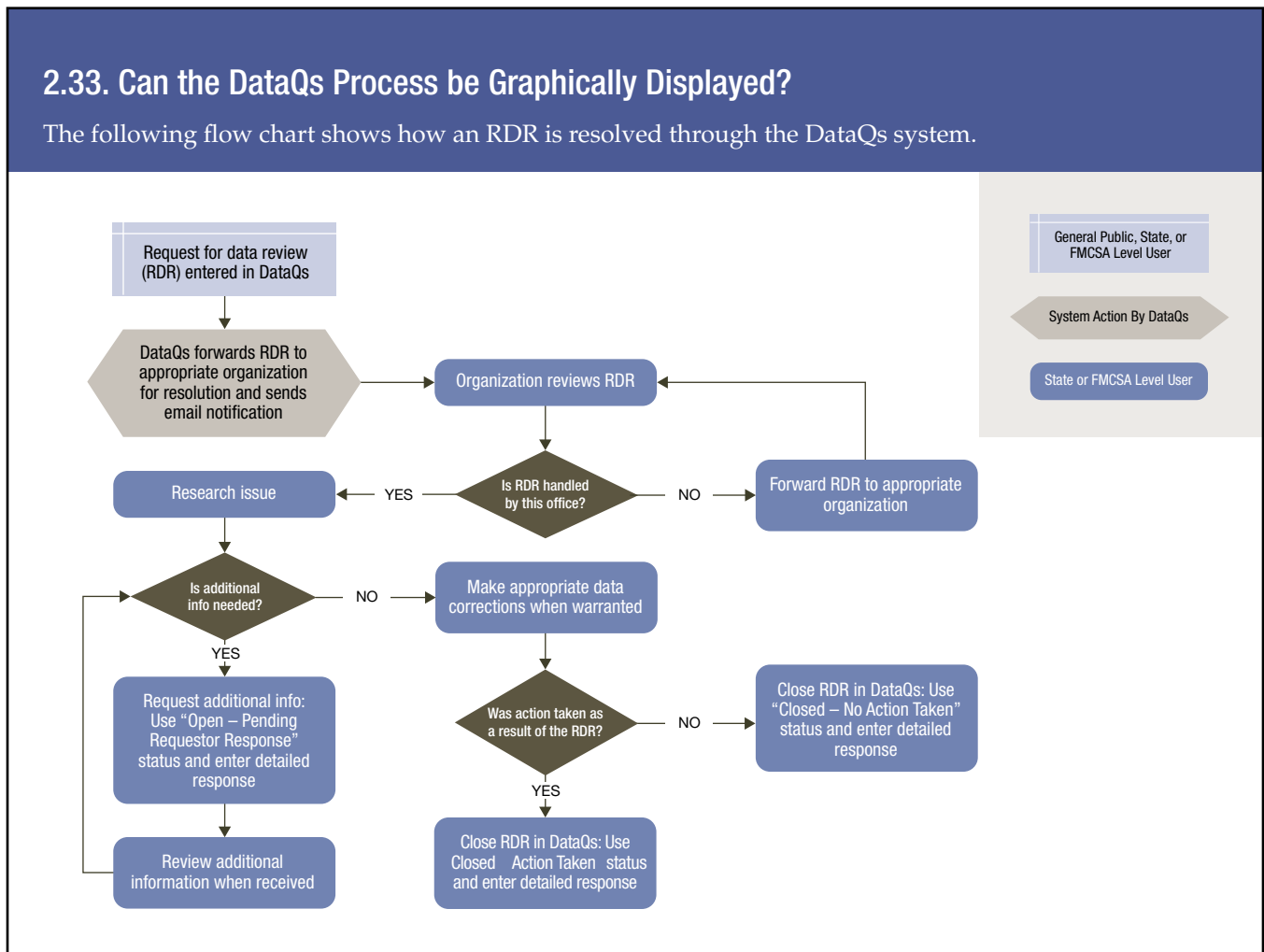
There are two ways to provide feedback on the DataQs system: 1) Select the DataQs Feedback link located in the footer of every screen once the user logs into the DataQs system. This link will access a form that can be filled out with questions or comments. When the form is submitted, an email with the user’s feedback is sent to DataQs. 2) Select the DataQs Contacts link located on the footer of every DataQs page. DataQs Contacts contains the names, phone numbers, and email addresses of the DataQs team.

### 2.32. Who Makes the Final Decision on an RDR?

FMCSA considers the State’s determination of the validity of an RDR as the final decision on the RDR. FMCSA will not unilaterally change State records without State consent. However, in those instances when the RDR filer is dissatisfied with the State’s decision, States should confer with FMCSA about the RDR, answer any additional questions or concerns a filer may have, and provide additional educational information on the subject at hand, if available. This ongoing collaboration between the States and FMCSA field and headquarters is essential to ensuring the viability and effectiveness of the DataQs system.

### 2.33. Can the DataQs Process be Graphically Displayed?

The following flow chart shows how an RDR is resolved through the DataQs system.





# Best Practices for Resolving 3 Individual RDR Types 3



# Best Practices for Resolving Individual RDR Types 3

Best practices are provided below for each of the 23 types of RDRs filed by commercial drivers, motor carriers, FMCSA and State agency users, and FMCSA administrative level users.

The recommended processes are provided with the goal of supporting State agency efforts to ensure that MCMIS data are up-to-date, accurate, and uniform, to a reasonable degree, while still affording the States discretion in the resolution process.

## *3.1. Best Practices for Resolving Crash – Not Reportable (No fatality, injury, or towaway) RDR Option*

### **SITUATION:**

A filer (in this case, a motor carrier having a vehicle involved in the crash in question) submits an RDR to the DataQs website, along with supporting documentation, asserting that a specific State crash report contains erroneous information regarding the reportability of a crash involving a motor vehicle. In the RDR, the filer contends that the crash in question did not involve a vehicle being towed from the scene due to disabling damage, or an injury requiring immediate transportation for medical attention, or fatality within 30 days of the crash, and provides supporting documentation to reinforce his/her contention.

### **RESOLUTION:**

**First, confirm the identity of the requestor and the record.** The DataQs analyst should review the original State report (crash or inspection) and SAFETYNET to verify the carrier assigned to the vehicle record in question. Then, confirm the identity of the filer if that confirmation would be instrumental in resolving the RDR. In addition, it is recommended that the vehicle in question be verified against the original State report.

**Second, review all documentation submitted by the filer** to justify his/her request to modify the crash record in MCMIS. If, in the estimation of the DataQs analyst, the filer's documentation is inadequate, the analyst should contact the filer via the DataQs

website and request additional information. The DataQs analyst should be as specific as possible. For example, if the filer contests that no tow occurred ask the filer to provide all related repair bills showing that no tow occurred and the vehicle was driven to a repair shop. The DataQs Analyst may want to contact the repair shop to confirm that no tow occurred. Any documents subsequently provided should be automatically uploaded to the DataQs system rather than sent directly to the DataQs analyst. In the event the documentation is sent directly to the analyst, it is recommended the analyst upload the documentation.

**Third, the DataQs analyst should confirm** that the crash meets FMCSA crash criteria. It is important to recognize that the originating State vehicle records are classified as motor vehicle traffic accidents. A summary of the crash criteria is shown here.

a) **VEHICLE QUALIFICATION.**

At least one of the following must apply:

- The qualifying vehicle involved in the crash is a truck having a gross vehicle weight rating (GVWR) of more than 10,000 pounds or a gross combination weight rating (GCWR) over 10,000 pounds and is used on public highways; or
- The qualifying vehicle involved in the crash is a motor vehicle designed to transport nine or more people, including the driver; or
- The qualifying vehicle involved in the crash is ANY vehicle displaying a hazardous materials placard, regardless of weight. NOTE: If an involved vehicle is discovered by an officer knowledgeable in Federal Hazardous Materials Regulations to be transporting hazardous materials without a required placard, this should be reported to FMCSA.

b) **CRASH SEVERITY QUALIFICATION:**

Once it is determined that the qualifying vehicle was operating on a roadway customarily open to the public and is not a personal vehicle, one of the following results must apply:

- A fatality: any person(s) killed in or outside of any vehicle (truck, bus, car, etc.) involved in the crash

or who dies within 30 days of the crash as a result of an injury sustained in the crash; or

- An injury: any person(s) injured as a result of the crash who immediately receives medical treatment away from the crash scene; or
- A towaway: any motor vehicle (truck, bus, car, etc.) disabled as a result of the crash and transported away from the scene by a tow truck or other vehicle.

The DataQs analyst may find it instructive to contact the investigating officer to discuss the circumstances of the crash in question and any supporting documentation provided by the filer. If the DataQs analyst determines that the crash in question is, in fact, not reportable according to FMCSA definition, the DataQs analyst should take the steps necessary (according to his/her State's protocol) to update the crash file. **Corrections to MCMIS data should be uploaded within seven days from the date on which the State concluded that an error occurred.** The DataQs analyst should then notify the motor carrier and other involved participants via the DataQs website that this change was made (see [Appendix I](#) for the appropriate Response Letter Template).

### **3.2. Best Practices for Resolving Crash – Not Preventable (Carrier Not at Fault) RDR Option**

#### **SITUATION:**

A DataQs filer contests a motor carrier safety rating assigned by FMCSA to a motor carrier as a result of an on-site compliance review by submitting an RDR and presenting supporting evidence and proof that the motor carrier's reportable crash rate – one of six factors included in FMCSA's safety rating determination process – is based on erroneous or incomplete data collected during a CR. The filer maintains that one or more crashes could not have been reasonably prevented, and therefore, *crash preventability* should have been considered by FMCSA in evaluating the motor carrier's crash factor. Supporting evidence and proof provided by the filer includes police reports and other verifiable government reports or law enforcement and witness statements.



## RESOLUTION:

FMCSA will consider RDRs to a crash event that does not meet the reportable crash criteria. However, crash preventability is not part of the reportable crash criteria. Therefore, FMCSA will not entertain a request to review data if the basis of the crash data dispute is 'preventability.' The crash will remain on the carrier's profile. If an RDR filer still chooses to pursue a crash data dispute on the basis of 'preventability,' he/she may do so. However, the information provided will be used for statistical purposes only: the RDR will not be upheld and will be automatically closed with no action taken. The RDR filer should be advised to contest the crash preventability determination pursuant to the Part 385 safety rating process.

### 3.3. Best Practices for Resolving Crash – Wrong Assignment to Carrier RDR Option

#### SITUATION:

A motor carrier filer submits an RDR to the DataQs website, along with supporting documentation, asserting that motor carrier information contained on a State's crash record was inadvertently uploaded to the wrong registered carrier in the MCMIS database.

#### RESOLUTION:

**First, confirm the identity of the requestor and the record.** The DataQs analyst should review the original State report (crash or inspection) and SAFETYNET to verify the carrier assigned to the vehicle record in question. Then, confirm the identity of the filer if that confirmation would be instrumental in resolving the RDR. In addition, it is recommended that the vehicle in question be verified against the original State report.

**Second, identify the responsible motor carrier.** The DataQs analyst should identify the responsible motor carrier involved in the reportable crash. While it is often difficult to identify the responsible motor carrier when there is a leasing situation involving the vehicle, the driver, or both, identification of the responsible motor carrier may be accomplished through relevant and complete documentation that should be provided by the DataQs filer requesting the data review (see figure on the next page). If a carrier is a property carrier, pursuant to regulatory requirements there

should be a written lease document that identifies the responsible carrier. If a requestor is unable to produce the lease agreement or other information to clearly identify the responsible carrier, then the requestor should provide a sworn or verifiable statement from the responsible carrier. **Note:** FMCSR Part 395.8(k) (1) requires motor carriers to retain all supporting documents at their principal place of business for a period of 6 months from date of receipt. Should the filer provide inadequate documentation to support its assertion, the DataQs analyst should refer to the table below, which lists documents that the DataQs analyst may request from the carrier to help identify the responsible carrier. The analyst can also contact the carrier directly or through the DataQs website to request more specific information. Any documents subsequently provided will be automatically uploaded to the DataQs system.

#### STEPS TO CONFIRM OR RESEARCH THE RESPONSIBLE CARRIER

The steps outlined below are based on the review of an 'Assigned to Wrong Carrier' RDR of crash data. As you will note when reviewing **Best Practices for Resolving Inspection – Wrong Assignment to Carrier RDR Option**, below ([Section 3.11](#)), the issues to consider and questions to resolve for Assigned to Wrong Carrier RDRs are similar to RDRs pertaining to both crash and inspection data.

##### Step 1: Review the Documentation

What did the officer document on the bus and truck supplemental section of the Police Accident Report (PAR)?

Do the carrier identification number (USDOT Number) and company name match on the report?

If not, does at least one of the two (USDOT Number or company name) match the information provided by the carrier requesting that the data be reviewed?

Did the system match the PAR to the wrong carrier when uploaded?

Is it possible that a number was transposed by the investigating officer when the USDOT Number was recorded?

## Information to Support Identification of the Responsible Carrier

<b>Carrier Interview</b>	Determine whether the vehicle was subject to a lease, contract, or any rental agreement (if a U-haul, Ryder truck, etc.); ask the motor carrier that was directing the movement of the vehicle; and record the name, address, and phone number of the responsible carrier. Request a copy of the lease or rental agreement.
<b>Shipping Papers</b>	Ask if shipping papers exist. Shipping papers may provide the name of the motor carrier responsible for the load, but they probably will not have any USDOT or MC/MX identification number(s). Shipping papers are required for hazardous materials cargo.
<b>Driver's Log</b>	Request a copy of the driver's logbook, which will identify the driver's employer. <u>Note:</u> the driver's employer is not necessarily the responsible motor carrier; however, you can contact the motor carrier to confirm that the motor carrier was directing the movement of the vehicle at the time of the crash or inspection.
<b>Contract or Lease Agreement</b>	Review any contracts, leases, or rental agreements. If these documents are not clear, ask the carrier to clarify and provide support for such clarification through statements from the lessee or renter.
<b>Vehicle Registration</b>	The vehicle registration will identify the owner of the vehicle, but the owner is not necessarily the responsible carrier.
<b>IRP Cab Card</b>	<p><b>Interstate carriers with GVWR &gt;26,000 lbs are most likely to have a cab card.</b> Each State's International Registration Plan (IRP) Cab Card may differ in appearance and in the information contained on the card. The cards may have the following information:</p> <ul style="list-style-type: none"> <li>• Registrants – the entity registering the vehicle</li> <li>• Owner/lessee – not the responsible motor carrier</li> <li>• Motor carrier or motor carrier responsible for safety – if this is on the card, this is the name and USDOT Number to record.</li> </ul>

### Step 2: Carrier Review and Consultation

What is the carrier's reason for claiming the crash belongs on another carrier's record? Sometimes carrier RDR submissions will be lacking specificity and not supply any explanation with the request that the data be reviewed. The carrier may simply write, 'Not ours. Please remove.' Ask the carrier to be more specific. Ask the carrier to provide documentation to support its RDR. [Per [Part 395.8\(k\)\(1\)](#) the carrier should have supporting documentation available for a period of at least 6 months from the date of receipt – of an inspection report, a citation or ticket, a repair bill, shipping documents, lease or rental agreement(s), driver contract(s), etc.]

### Step 3: Contact the Officer who Completed the Report

Call the officer and discuss the RDR with him/her. What documentation did the officer review to determine that the company name identified on the crash report was the correct carrier name?

### Step 4: Check FMCSA Information Systems

*SAFETYNET and MCMIS:* Does the vehicle appear in other crashes attributed to this company? Could there have been an error in how the crash was matched to the carrier during the matching process (e.g., was a number transposed by the investigating officer when he/she recorded the USDOT Number)? Was the VIN properly recorded?

*Analysis and Information Online (A&I):* You can access the DIR database via [A&I](#). What company has the driver cited on the PAR driven for recently? Are there crash or inspection reports from other States showing the same driver and same motor carrier company name and/or USDOT Number?

Inform the motor carrier that you found this information by reviewing the FMCSA information systems; afford the motor carrier an opportunity to respond to these findings. If, on the basis of research and supporting documentation, the DataQs analyst

determines that the crash was assigned to the wrong carrier, the DataQs analyst should take the steps necessary (according to his/her State's protocol) to update the crash file. Corrections to MCMIS data should be uploaded within seven days from the date on which the State concluded that an error occurred. The DataQs analyst should then notify the motor carrier and other involved participants via the DataQs website that this change was made.

### 3.4. Best Practices for Resolving Crash – Incorrect Data RDR Option

#### SITUATION:

A motor carrier filer submits an RDR to the DataQs website, along with supporting documentation, asserting that one or more of the crash data elements, motor vehicle elements, or personal data elements collected by the investigating police officer as part of his/her crash report contain erroneous or incomplete information.

#### RESOLUTION:

**First, confirm the identity of the requestor and the record.** The DataQs analyst should review the original State report (crash or inspection) and SAFETYNET to verify the carrier assigned to the vehicle record in question. Then, confirm the identity of the filer if that confirmation would be instrumental in resolving the RDR. In addition, it is recommended that the vehicle in question be verified against the original State report.

**Second, review all documentation submitted by the filer** to justify his/her request to modify the crash report in MCMIS. If the DataQs analyst is uncertain about what data are required to be collected at the crash scene, he/she should refer to the State's accident report form for relevant information and assistance. In addition, the DataQs analyst should consider contacting the investigating police officer to discuss the RDR and allow him/her the opportunity to clarify the issue(s) at hand. If, after performing this background research, the DataQs analyst concludes that additional information is required from the filer, contact him/her with specifics. Any documents subsequently provided will be automatically uploaded to the DataQs system.

**Note:** Two of the more common claims submitted by RDR filers are: 1) that a driver identified as an employee of a motor carrier involved in a crash or cited for violations in an inspection was, in fact, not an employee of the motor carrier; and 2) that the driver was off duty when the incident occurred and, therefore, the motor carrier is not responsible for the driver's actions during that off-duty period of time. These two claims of erroneous information can be processed as follows:

1. *(Not an Employee of Motor Carrier)* Obtain a statement from the motor carrier verifying that the driver is/was its employee with the duration of employment specified in the statement, or request a termination letter from the motor carrier addressed to the driver confirming that the driver is no longer employed by the motor carrier disputing the data. In some situations the carrier may insist there is no such driver in the company. Try to verify the vehicle registration and VIN. Use FMCSA information systems to determine if this driver and/or vehicle was involved in a past crash or inspection. In rare instances, the driver may be from another division of the company (e.g., service mechanic to the carrier). Note that the definition of 'employee' under [49 CFR 390.5](#) for purposes of motor carrier safety regulations includes an independent contractor. An independent contractor operating the vehicle under a lease or other type of arrangement is considered an employee of the motor carrier responsible for the operation.
2. *(Driver Off-Duty; Motor Carrier not Responsible)* Review driver's record of duty status; review FMCSR [Part 395.2](#) Definitions, which, with respect to *on-duty time*, states that:

**On-duty time** means all time from the time a driver begins to work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility for performing work. **On-duty time** shall include:

- a) All time at a plant, terminal, facility, or other property of a motor carrier or shipper, or on any public property, waiting to be dispatched, unless the driver was relieved from duty by the motor carrier;

- b) All time inspecting, servicing, or conditioning any CMV at any time;
- c) All driving time, which is defined as ‘all time spent at the driving controls of a commercial motor vehicle in operation’;
- d) All time, other than **driving time**, in or upon any CMV except time spent resting in a **sleeper berth**;
- e) All time loading or unloading a CMV, supervising or assisting in the loading or unloading, attending a CMV being loaded or unloaded, remaining in readiness to operate the CMV, or giving or receiving receipts for shipments loaded or unloaded;
- f) All time repairing, obtaining assistance, or remaining in attendance upon a disabled CMV;
- g) All time spent providing a breath sample or urine specimen, including travel time to and from the collection site, in order to comply with the random, reasonable suspicion, post-accident, or follow-up testing required by [Part 382](#) of this subchapter when directed by a motor carrier; and
- h) Performing any other work in the capacity, employ, or service of a motor carrier.

The DataQs analyst should conduct research to determine the driver’s on- or off-duty status by requesting relevant documentation from the motor carrier requesting the data review.

If, on the basis of research and supporting documentation, the DataQs analyst determines that the motor carrier’s MCMIS crash record contained incorrect information, he/she should take the steps necessary (according to his/her State’s protocol) to update the crash file. Corrections to MCMIS data should be uploaded within seven days from the date on which the State concluded that an error occurred. The DataQs analyst should then notify the motor carrier and other involved participants via the DataQs website that this change was made.

### 3.5. Best Practices for Resolving Crash – Duplicate RDR Option

#### SITUATION:

A motor carrier filer submits an RDR to the DataQs website, along with supporting documentation, asserting that the MCMIS crash file contains duplicate crash records (involvements where more than one record was submitted for the same vehicle in the same crash, i.e., the report number and sequence number were identical); and/or records with redundant, identical values [identical values on accident number, accident date/time, county, street, officer badge number, vehicle identification number (VIN), and driver license number, even though the vehicle sequence numbers were different.]

#### RESOLUTION:

**First, confirm the identity of the requestor and the record.** The DataQs analyst should review the original State report (crash or inspection) and SAFETYNET to verify the carrier assigned to the vehicle record in question. Then, confirm the identity of the filer if that confirmation would be instrumental in resolving the RDR. In addition, it is recommended that the vehicle in question be verified against the original State report.

**Second, review all documentation (if any) submitted by the filer** to justify his/her request to modify the crash file in MCMIS. If, in the estimation of the DataQs analyst, the filer’s documentation is inadequate, the analyst should contact the filer via the DataQs website and request additional information. Any documents subsequently provided will be automatically uploaded to the DataQs system. If the documentation and the DataQs analyst’s research confirm the existence of duplicate crash records in the motor carrier’s MCMIS crash file, the DataQs analyst should take the steps necessary (according to his/her State’s protocol) to update the crash file. Corrections to MCMIS data should be uploaded within seven days from the date that the State concludes that an error occurred. The DataQs analyst should then notify the motor carrier and other involved participants via the DataQs website that this change was made.



### ***3.6. Best Practices for Resolving Crash – Missing from Carrier’s MCMIS File RDR Option***

#### **SITUATION:**

During the course of conducting a routine compliance review at a motor carrier’s principal place of business, an FMCSA safety specialist notes that upon reviewing insurance reports it appears that the motor carrier was involved in one or more crashes that met FMCSA criteria for reportable crashes but were not uploaded via SAFETYNET to MCMIS. The safety specialist submits an RDR to the DataQs website, along with supporting documentation, requesting that the crash(es) in question be added by the State to the motor carrier’s MCMIS crash file.

#### **RESOLUTION:**

The DataQs analyst should review FMCSA crash criteria and then evaluate the supporting documentation provided by the FMCSA safety specialist. If the DataQs analyst disagrees with the safety specialist’s determination, he/she should contact the safety specialist to discuss the issue(s) involved. If it is then agreed that the crash(es) in question do, in fact, meet FMCSA reportable crash criteria, the DataQs analyst should take the steps necessary (according to his/her State’s protocol) to update the crash file. Corrections to MCMIS data should be uploaded within seven days from the date on which the State concluded that an error occurred. The DataQs analyst should then notify the motor carrier and other involved participants via DataQs that this change was made.

### ***3.7. Best Practices for Resolving Crash – Commercial Driver Data RDR Option***

#### **SITUATION:**

A filer submits an RDR to the DataQs website, along with supporting documentation, asserting that occupant information collected by a State officer investigating a reportable crash contained erroneous data about the involved CMV driver.

#### **RESOLUTION:**

**First, confirm the identity of the requestor and the record.** The DataQs analyst should review the original

State report (crash or inspection) and SAFETYNET to verify the carrier assigned to the vehicle record in question. Then, confirm the identity of the filer if that confirmation would be instrumental in resolving the RDR. In addition, it is recommended that the vehicle in question be verified against the original State report.

**Second, review all documentation submitted by the filer** to justify his/her request to modify the crash report in MCMIS. If the DataQs analyst is uncertain about what occupant data are required to be collected at the crash scene, he/she should refer to the State’s accident report form for relevant information and assistance. In addition, the DataQs analyst should consider contacting the investigating police officer to discuss the RDR. If, after performing this background research, the DataQs analyst concludes that additional information is required of the filer, contact him/her with specifics. Any documents will be automatically uploaded to the DataQs system. If the DataQs analyst concludes that certain information about the commercial driver was incorrectly entered on the investigating officer’s crash report, the analyst should take the steps necessary (according to his/her State’s protocol) to update the crash file. Corrections to MCMIS data should be uploaded within seven days from the date on which the State concluded that an error occurred. The DataQs analyst should then notify the motor carrier and other involved participants via the DataQs website that this change was made.

### ***3.8. Best Practices for Resolving Inspection – Incorrect/Incomplete Violation Information RDR Option***

#### **SITUATION:**

A motor carrier filer submits an RDR to the DataQs website, along with supporting documentation, asserting that the MCSAP inspector entered an incorrect violation code on the inspection report documenting a roadside inspection of one of the motor carrier’s vehicles.

#### **RESOLUTION:**

**First, confirm the identity of the requestor and the record.** The DataQs analyst should review the original State report (crash or inspection) and SAFETYNET

to verify the carrier assigned to the vehicle record in question. Then, confirm the identity of the filer if that confirmation would be instrumental in resolving the RDR. In addition, it is recommended that the vehicle in question be verified against the original State report.

**Second, review all documentation (if any) submitted by the filer** to justify his/her request to modify the inspection file in MCMIS. If, in the estimation of the DataQs analyst, the filer's documentation is inadequate, he/she should contact the filer via the DataQs website and request additional information. Upon receipt of additional documentation, he/she should contact the MCSAP inspector responsible for the inspection report to discuss the issue at hand. Any documents subsequently provided will be automatically uploaded to the DataQs system.

If the documentation and the DataQs analyst's research confirm the existence of an incorrectly coded violation in the motor carrier's MCMIS inspection file, and the MCSAP inspector concurs, the DataQs analyst should take the steps necessary (according to his/her State's protocol) to update the inspection file. Corrections to MCMIS data should be uploaded within seven days from the date the State concluded an error occurred. The DataQs analyst should then notify the motor carrier and other involved participants via the DataQs website that this change was made.

**Note:** In order to improve the safety of commercial motor vehicles and save lives, FMCSA periodically updates existing safety violation IT codes, promulgates new ones and, as soon as practicable, updates its information systems (e.g., SAFETYNET and Aspen<sup>3</sup>) to (1) accommodate prompt application of the updated and/or new IT codes and (2) allow the violation data to be accurately and promptly incorporated into the MCMIS inspection file. However, there may be an unavoidable time delay before the new safety violation IT codes are incorporated into FMCSA's information systems software. For example, on August 28, 2010, FMCSA's information systems software was upgraded to accommodate new speeding violation IT codes, with these new violations eligible for use by safety

inspectors and uploading to MCMIS no earlier than August 28, 2010. RDR filings requesting that safety violation IT codes be applied retroactively – in this case to inspections conducted prior to August 28, 2010 – should be closed with no action taken. *Recently implemented safety violation IT codes such as these speeding violations are not applied retroactively.*

### **3.9. Best Practices for Resolving Inspection – Incorrect/Incomplete Violation Information – ‘Outside’ the Level of Inspection RDR Option**

#### **SITUATION:**

A MCSAP inspector is performing a Level 3 inspection and notices a vehicle violation. The inspector records the vehicle violation, and it is subsequently uploaded to the carrier's profile on MCMIS, even though it is not a Level 3 violation.

#### **RESOLUTION:**

Since the violation did, in fact, exist, the record will not be changed. The motor carrier can contest whether there was, in fact, a violation, or if the violation was incorrectly coded.

### **3.10. Best Practices for Resolving Inspection – Incorrect Data (Other) RDR Option**

#### **SITUATION:**

A filer submits an RDR to the DataQs website, along with supporting documentation, asserting that certain vehicle identification data [e.g., vehicle make and year, vehicle identification number (VIN), State of registration and/or license plate number, motor carrier address] were incorrectly entered onto the MCSAP inspector's inspection report and subsequently uploaded to the carrier's MCMIS inspection file.

#### **RESOLUTION:**

**First, confirm the identity of the requestor and the record.** The DataQs analyst should review the original State report (crash or inspection) and SAFETYNET

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<sup>3</sup>The Aspen driver/vehicle safety inspection system enables law enforcement agencies to perform roadside safety inspections and to transfer those inspection results into the State and National data systems.

to verify the carrier assigned to the vehicle record in question. Then, confirm the identity of the filer if that confirmation would be instrumental in resolving the RDR. In addition, it is recommended that the vehicle in question be verified against the original State report.

**Second, review all documentation (if any) submitted by the filer** to justify his/her request to modify the inspection file in MCMIS. If, in the estimation of the DataQs analyst, the filer's documentation is inadequate, the analyst should contact the filer via the DataQs website and request additional information. Upon receipt of additional documentation, he/she should contact the MCSAP inspector responsible for the inspection report to discuss the issue at hand. Any documents subsequently provided will be automatically uploaded to the DataQs system.

If the documentation confirms the existence of incorrect vehicle identification data in the motor carrier's MCMIS inspection file, and the MCSAP inspector concurs, the DataQs analyst should take the steps necessary (according to his/her State's protocol) to update the inspection file. Corrections to MCMIS data should be uploaded within seven days from the date the State concluded an error occurred.

### ***3.11. Best Practices for Resolving Inspection – Duplicate RDR Option***

#### **SITUATION:**

A motor carrier filer submits an RDR to the DataQs website, along with supporting documentation, asserting that the motor carrier's MCMIS inspection file contains duplicate inspection records, i.e., the same inspection is listed more than once.

#### **RESOLUTION:**

**First, confirm the identity of the requestor and the record.** The DataQs analyst should review the original State report (crash or inspection) and SAFETYNET to verify the carrier assigned to the vehicle record in question. Then, confirm the identity of the filer if that confirmation would be instrumental in resolving the RDR. In addition, it is recommended that the vehicle in question be verified against the original State report.

**Second, review all documentation (if any) submitted by the filer** to justify his/her request to modify the inspection file in MCMIS. If, in the estimation of the DataQs analyst, the filer's documentation is inadequate, the analyst should contact the filer via the DataQs website and request additional information. Upon receipt of additional documentation, he/she should contact the MCSAP inspector responsible for the inspection report to discuss the issue at hand. Any documents subsequently provided will be automatically uploaded to the DataQs system.

If the documentation confirms the existence of duplicate inspection records in the motor carrier's MCMIS inspection file, and the MCSAP inspector concurs, the DataQs analyst should take the steps necessary (according to his/her State's protocol) to update the inspection file. Corrections to MCMIS data should be uploaded within seven days from the date the State concluded an error occurred.

### ***3.12. Best Practices for Resolving Inspection – Wrong Assignment to Carrier RDR Option***

#### **SITUATION:**

A motor carrier filer submits an RDR to the DataQs website, along with supporting documentation, asserting that motor carrier information contained on a State's inspection record had been inadvertently uploaded to the wrong registered carrier in the MCMIS database.

#### **RESOLUTION:**

**First, confirm the identity of the requestor and the record.** The DataQs analyst should review the original State report (crash or inspection) and SAFETYNET to verify the carrier assigned to the vehicle record in question. Then, confirm the identity of the filer if that confirmation would be instrumental in resolving the RDR. In addition, it is recommended that the vehicle in question be verified against the original State report.

**Second, identify the responsible motor carrier.** Once confirmed, the DataQs analyst should turn his/her attention to identifying the responsible motor carrier involved in the inspection. While it is often difficult to identify the appropriate, responsible motor carrier

when there is a leasing situation involving the vehicle, the driver or both, identification of the responsible motor carrier may be accomplished through relevant and complete documentation that should be provided by the DataQs filer requesting the data review (see table on page 38). If a carrier complied with regulatory requirements, there should be adequate documentation to support the identification of the responsible carrier. If a requestor is unable to produce the lease agreement or other information to clearly identify the responsible carrier, then the requestor should provide a sworn or verifiable statement from the responsible carrier.

**Note:** FMCSR [Part 395.8\(k\)\(1\)](#) requires motor carriers to retain all supporting documents at their principal place of business for a period of six months from date of receipt. Should the filer provide inadequate documentation to support its assertion, the DataQs analyst should refer to the guidance below, which lists documents that the DataQs analyst may request from the carrier to help identify the responsible carrier. The analyst can also contact the carrier directly or through the DataQs website to request more specific information. Any documents subsequently provided will be automatically uploaded to the DataQs system.

## STEPS TO CONFIRM OR RESEARCH THE RESPONSIBLE CARRIER

### Step 1: Review the Documentation

What did the officer document on the inspection report?

Do the carrier identification number (USDOT) and company name match on the report?

If not, does at least one of the two (USDOT or company name) match the identifying information for the carrier submitting the RDR? If there is conflicting identifying information on the report, does the report adequately identify the responsible carrier?

Is it possible that a number was transposed by the inspecting officer when the USDOT Number was recorded?

### Step 2: Carrier Review and Consultation

What is the carrier's reason for claiming the inspection belongs on another carrier's record? If the carrier has

not provided an adequate description of the basis for the RDR, request further or more detailed explanation of the basis for the RDR. Request documentation to support the RDR. [Per Part 395.8(k)(1) the carrier should have supporting documentation available for a period of at least six months from the date of receipt – of an inspection report, a citation or ticket, a repair bill, shipping documents, lease or rental agreement(s), driver contract(s), etc.]

### Step 3: Contact the Officer Who Completed the Report

Call the officer and discuss the RDR. What documentation did the officer review to determine that the company name identified on the inspection report was the correct carrier name?

### Step 4: Check FMCSA Information Systems

*SAFETYNET and MCMIS:* Review other inspections or crashes assigned to this company to determine use/ownership of the vehicle. Determine whether there was an error in matching the inspection report to the proper carrier (e.g., was a number transposed by the inspector when he/she recorded the USDOT Number?).

*Analysis and Information Online (A&I):* Access the DIR database via A&I to determine what company the driver cited on the inspection report has driven for recently, and if there are crash or inspection reports from other States showing the same driver and same motor carrier company name and/or USDOT Number.

Inform the motor carrier that you have reviewed the FMCSA information systems and ask the motor carrier to respond to questions raised by the FMCSA data. If, on the basis of research and supporting documentation, the DataQs analyst determines that the inspection was assigned to the wrong carrier, he/she should take the steps necessary (according to his/her State's protocol) to update the inspection file. Corrections to MCMIS data should be uploaded within seven days from the date the State concluded an error occurred. The DataQs analyst should then notify the motor carrier and other involved participants via the DataQs website that this change was made.



### 3.13. Best Practices for Resolving Inspection – Missing from the Carrier’s MCMIS Inspection File *RDR Option*

#### SITUATION:

While conducting an on-site compliance review, an FMCSA safety specialist identifies one or more roadside inspections in the motor carrier’s files that were not uploaded to the carrier’s MCMIS inspection file. The safety specialist submits an RDR to the DataQs website, along with supporting documentation, requesting that the omitted inspection(s) be added by the State to the carrier’s MCMIS inspection file.

#### RESOLUTION:

The DataQs analyst should *review the supporting documentation* provided by the FMCSA safety specialist to ensure that the inspections omitted from the motor carrier’s MCMIS inspection file were performed on commercial vehicles within the last 24 months and met the [Part 390.5](#) definition of a CMV, i.e., any self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property when the vehicle:

1. Has a gross vehicle weight rating or gross combination weight rating, or gross vehicle weight or gross combination weight, of 4,536 kg (10,001 pounds) or more, whichever is greater; or
2. Is designed or used to transport more than eight passengers (including the driver) for compensation; or
3. Is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or
4. Is used in transporting material found by the Secretary of Transportation to be hazardous under [49 U.S.C. 5103](#) and transported in a quantity requiring placarding under regulations prescribed by the Secretary under 49 CFR, Subtitle B, Chapter I, Subchapter C.

If, on the basis of research and supporting documentation, the DataQs analyst determines that the inspection(s) were mistakenly omitted from the motor

carrier’s MCMIS inspection file, he/she should take the steps necessary (according to his/her State’s protocol) to update the inspection file. Corrections to MCMIS data should be uploaded within seven days from the date the State concluded an error occurred. The DataQs analyst should then notify the motor carrier and other involved participants via the DataQs website that this change was made.

### 3.14. Best Practices for Resolving Inspection – Commercial Driver Data *RDR Option*

#### SITUATION:

A motor carrier filer submits an RDR to the DataQs website, along with supporting documentation, asserting that driver information collected by a State MCSAP inspector contained erroneous data.

#### RESOLUTION:

**First, confirm the identity of the requestor and the record.** The DataQs analyst should review the original State report (crash or inspection) and SAFETYNET to verify the carrier assigned to the vehicle record in question. Then, confirm the identity of the filer if that confirmation would be instrumental in resolving the RDR. In addition, it is recommended that the vehicle in question be verified against the original State report.

**Second, review all documentation (if any) submitted by the filer** to justify his/her request to modify the inspection report in MCMIS. Refer to the [USDOT’s 37-Point Level I Truck Safety Inspection Checklist](#) for guidance on information that is required to be collected during an inspection. Consider contacting the State MCSAP inspector to discuss the RDR. If, after performing this background research, the DataQs analyst concludes that additional information is required, contact the filer to request specific information. Any documents subsequently provided will be automatically uploaded to the DataQs system. If the DataQs analyst concludes that certain information about the commercial driver was incorrectly entered on the inspection report, the analyst should take the steps necessary (according to his/her State’s protocol) to update the inspection file. Corrections to MCMIS data should be uploaded within seven days from the

date the State concluded an error occurred. The DataQs analyst should then notify the motor carrier and other involved participants via the DataQs website that this change was made.

### ***3.15. Best Practices for Resolving Carrier Information (MCS-150) RDR Option***

#### **SITUATION:**

A motor carrier submits an RDR to the DataQs website asserting that it filed, as required, an updated Motor Carrier Identification Report (Form MCS-150) with FMCSA, but that the carrier's MCMIS file does not reflect the updated information. The carrier provides the updated MCS-150 as supporting documentation.

#### **RESOLUTION:**

**First, confirm the identity of the requestor and the record.** The DataQs analyst should review the original State report (crash or inspection) and SAFETYNET to verify the carrier assigned to the vehicle record in question. Then, confirm the identity of the filer if that confirmation would be instrumental in resolving the RDR. In addition, it is recommended that the vehicle in question be verified against the original State report.

**Second, review the supporting documentation provided by the filer** to determine the date of the MCS-150 filing, and whether the carrier used the electronic online application process or submitted a paper copy of the MCS-150 by mail. Information updates from online applications should take effect almost immediately. Mail-in applications require 4 to 6 weeks of processing time, and are prone to delay if the information on the form is not legible or is incorrect.

### ***3.16. Best Practices for Resolving Compliance Review/Safety Rating RDR Option***

#### **SITUATION:**

A motor carrier filer submits an RDR to the DataQs website, along with supporting documentation, asserting that data collected during a CR were inaccurate or incomplete, resulting in the erroneous assignment of a safety rating.

#### **RESOLUTION:**

Motor carriers have the right to petition for a review of their ratings if there are factual or procedural disputes, and to request another review after corrective actions are taken. The DataQs analyst should refer the filer to [Part 385.15: Administrative Review](#), which describes the process for appealing an erroneous safety rating.

### ***3.17. Best Practices for Resolving Operating Authority (OP-1, OP-2) RDR Option***

#### **SITUATION:**

A company submits an RDR to the DataQs website, along with supporting documentation, asserting that it has not yet received the required operating authority for which it had applied.

#### **RESOLUTION:**

The DataQs analyst should access the [Licensing and Insurance page on the SAFER website](#) in order to research the filer's claim and determine the status of its operating authority application, and then provide this information to the filer via the DataQs website.

### ***3.18. Best Practices for Resolving Safety Audit RDR Option***

#### **SITUATION:**

A filer submits an RDR to the DataQs website, along with supporting documentation, asserting that he/she believes incorrect and/or incomplete safety data were collected during the safety audit which led to a determination by FMCSA that the company's basic safety management controls were inadequate, resulting in the carrier's new entrant registration being revoked.

#### **RESOLUTION:**

After **confirming the identity of the filer**, the DataQs analyst should refer the filer to [49 CFR 385.327](#), which contains the process for appealing a failed safety audit based upon an error in the determination that the carrier's basic safety management controls are inadequate.

### ***3.19. Best Practices for Resolving Insurance Information RDR Option***

#### **SITUATION:**

A filer submits an RDR to the DataQs website, along with supporting documentation, asserting that he/she believes incorrect and/or incomplete financial responsibility data were collected by safety officials during a CR or safety audit.

#### **RESOLUTION:**

The DataQs analyst should determine the financial responsibility requirements in [49 CFR 387.7](#) that apply to this carrier, and provide this information to the filer. If there was an error with respect to the financial responsibility requirement, the carrier may submit a request for administrative review pursuant to 49 CFR 385.15. After confirming the identity of the filer, the DataQs analyst should refer the filer to [Part 385.15: Administrative Review of Safety Fitness Determinations](#), which describes the process for appealing an erroneous safety rating, in this instance the determination that the motor carrier carried less than the minimum level of insurance.

### ***3.20. Best Practices for Resolving Notice of Claim/Notice of Violation RDR Option***

#### **SITUATION:**

A motor carrier filer submits an RDR to the DataQs website, along with supporting documentation, asserting that data contained in a Notice of Claim or Notice of Violation document are inaccurate, resulting in an erroneous enforcement action.

#### **RESOLUTION:**

The DataQs system will automatically refer this type of RDR to the appropriate FMCSA Service Center.

### ***3.21. Best Practices for Resolving Interstate Carrier – Unregistered (No US DOT Number) RDR Option***

#### **SITUATION:**

A State agency filer submits an RDR to the DataQs website, along with supporting documentation, to notify the State of domicile that a particular motor carrier is operating while unregistered.

#### **RESOLUTION:**

The State of domicile of the unregistered carrier will receive the information from the filer and take action to get the carrier registered.

### ***3.22. Best Practices for Resolving Household Goods Complaint – Fraudulent (Did Not Do Business) RDR Option***

#### **SITUATION:**

A filer submits an RDR to the DataQs website, along with supporting documentation, asserting that a household goods complaint received by the FMCSA and maintained in the carrier's permanent file is fraudulent because the filer of the complaint and the carrier did not do business together.

#### **RESOLUTION:**

The DataQs system automatically forwards the RDR and supporting documentation to the HHG staff of the FMCSA Commercial Enforcement Division, who will research the issue to validate the claim of fraudulent or duplicate complaints using the information and documentation provided by the filer. If the filer's claim is valid, the carrier's record will be modified accordingly.

### ***3.23. Best Practices for Resolving HHG Complaint – Duplicate (Two Identical Complaints) RDR Option***

#### **SITUATION:**

A filer submits an RDR to the DataQs website, along with supporting documentation, asserting that a household goods complaint against a motor carrier/broker that is being maintained in the carrier's permanent file duplicates a complaint previously received by FMCSA via the National Consumer Complaint Database or the toll-free hotline.

#### **RESOLUTION:**

The DataQs system automatically forwards the RDR and any supporting documentation to the HHG staff of the FMCSA Commercial Enforcement Division, who will research the issue to validate the claim of fraudulent or duplicate complaints using the information and documentation provided by the filer. If the filer's claim is valid, the carrier's record will be modified accordingly.

### ***3.24. Best Practices for Resolving Other RDR Option***

#### **SITUATION:**

A filer submits an RDR to the DataQs website, along with supporting documentation, after determining that none of the other 23 RDR options adequately describes the nature of his/her data review request.

#### **RESOLUTION:**

The DataQs analyst should review all documentation provided by the filer, request additional information or documentation if deemed necessary, and proceed in a logical fashion to resolve the issue(s) at hand. It may be that the filer did not understand, or was not aware of, the RDR choices available to him/her.



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# Databases to Facilitate DataQs Research and Resolution 4

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# Databases to Facilitate DataQs Research and Resolution 4

The following list of core operational information systems that FMCSA maintains and/or with which it interoperates are important tools to assist DataQs analysts in researching and resolving RDRs.

## 4.1. The Motor Carrier Management Information System (MCMIS)

The foundation of FMCSA's data-driven safety activities is the **Motor Carrier Management Information System (MCMIS)**. MCMIS is a computerized system where FMCSA maintains a comprehensive record of the safety performance of motor carriers (truck and bus) and hazardous materials shippers that are subject to the Federal Motor Carrier Safety Regulations (FMCSR) and the Hazardous Materials Regulations (HMR). MCMIS contains crash, census, inspection, compliance review, and enforcement information.

## MCMIS Databases

The **FMCSA Crash File** is an *involvement* database, i.e., it is a census of qualifying trucks and buses that are involved in traffic crashes, regardless of whether the crash was preventable or non-preventable, whether the vehicle was operating under a regulatory exemption,<sup>4</sup> or whether or not the vehicle was operating in commerce at the time of the crash. The Crash File contains data from State police crash reports involving motor vehicle traffic accidents in the United States. State crash reports contain, on average, about 80-120 data elements pertaining to the motor carrier, driver, vehicles, and circumstances of the crash. The Crash File primarily contains commercial motor vehicle records (interstate motor carriers and intrastate motor carriers), but also contains some non-commercial motor vehicle records (large trucks and buses not requiring a USDOT Number or other operating authority, but collected for analytical purposes). Under the Motor Carrier Safety Assistance Program (MCSAP), a grant program administered by FMCSA in cooperation with the States, FMCSA has implemented a crash reporting system based

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<sup>4</sup> Part 381.300 states as follows:

**§381.300 What is an exemption?**

- (a) An exemption is temporary regulatory relief from one or more FMCSR given to a person or class of persons subject to the regulations, or who intend to engage in an activity that would make them subject to the regulations.
- (b) An exemption provides the person or class of persons with relief from the regulations for up to two years, and may be renewed.
- (c) Exemptions may only be granted from one or more of the requirements contained in the following parts and sections of the FMCSRs:
  - (c)(1) Part 382 – Controlled Substances and Alcohol Use and Testing;
  - (c)(2) Part 383 – Commercial Driver's License Standards; Requirements and Penalties;
  - (c)(3) Part 391 – Qualifications of Drivers;
  - (c)(4) Part 392 – Driving of Commercial Motor Vehicles;
  - (c)(5) Part 393 – Parts and Accessories Necessary for Safe Operation;
  - (c)(6) Part 395 – Hours of Service of Drivers;
  - (c)(7) Part 396 – Inspection, Repair, and Maintenance (except for Part 396.25); and
  - (c)(8) Part 399 – Step, Handhold and Deck Requirements.

on State police crash reports that are electronically transmitted from the States to FMCSA. The latest phase of this implementation is based on uniform crash data elements developed through the National Governors Association (NGA).

The collected State crash data are entered into a microcomputer-based system called SAFETYNET that allows States to do analysis on these federally qualifying motor vehicle records. Disputes regarding these motor carrier records in the MCMIS Crash File lead to RDRs.

The **MCMIS Census File** contains records for a steadily growing number of active entities, i.e., motor carriers, hazardous materials shippers, entities that are both a carrier and a shipper, or registrants (entities who register vehicles but are not carriers).<sup>5</sup> In order to identify each entity, MCMIS assigns a unique number to each entity's record. This number is referred to as the record census number. This is also the number supplied to an entity as the USDOT Number. MCMIS assigns a status of active or inactive to each census record. A record is considered **active** in the Census File if the entity identified in the record is currently subject to the FMCSRs or HMRs, or is an intrastate non-hazardous material (non-HM) carrier issued a USDOT Number by selected States (not all States are issuing USDOT Numbers to intrastate non-HM carriers). A record is considered **inactive** if the entity is no longer in business or is no longer subject to the FMCSRs or HMRs. Each Census record contains the following information:

- **Census Information.** Entity identifying data – name, address, etc.
- **Business/Operation Data.** Operation classification and type of business.
- **Cargo Classification.** Type of cargo carried.

- **Hazardous Materials Carried/Shipped.** Yes or no.
- **Equipment and Driver Data.** Number of trucks owned or leased, number of drivers, etc.
- **Carrier Review Data.** Latest review date, crash rate, safety rating, etc.

The **FMCSA Inspection File** contains data from State and Federal inspection actions involving motor carriers, shippers of hazardous materials, and transporters of hazardous materials operating in the United States. The majority of the inspections are conducted at the roadside by State personnel under MCSAP. Federal and State field enforcement staffs perform inspections on interstate and intrastate motor carriers, shippers, and transporters of hazardous materials. Violations of the FMCSRs and HMRs that are severe enough may result in a vehicle and/or driver being placed out-of-service.

The **Compliance Review File** contains information on detailed, on-site examinations of company records performed by Federal or State safety specialists on motor carriers presenting a potentially high risk to highway safety. This includes information on violations of FMCSRs and HMRs found in driver qualification files, duty status files, drug and alcohol test files, vehicle maintenance records, and safety management records. The Compliance Review File also contains the safety rating resulting from the on-site compliance review.

The **Enforcement File** contains information on safety-related sanctions imposed on motor carriers by FMCSA. These can range from placing the carriers (and all their vehicles) out of service to fines and civil penalties.

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<sup>5</sup> In order to provide proper safety oversight of the regulated motor carrier community, FMCSA must know the characteristics of the individual motor carriers that comprise it. The Motor Carrier Identification Report (MCS-150) is the instrument through which certain identifying and demographic information is reported by motor carriers and collected by FMCSA. It is a one-page form that must be filed with and processed by FMCSA before a motor carrier can begin operating in interstate commerce. All motor carriers are required to file an MCS-150 once every 24 months after beginning their operations. Some States are participating in FMCSA's Performance and Registration Information Systems Management (PRISM) program, which links State commercial motor vehicle registration to the safety fitness of motor carriers. If a State requires motor carriers to submit information similar to that contained in the Form MCS-150 as a condition of annual vehicle registration, the same information does not have to be filed with FMCSA as long as this information is filed with the appropriate State office.



## 4.2. Analysis and Information (A&I) Online

[A&I Online](#) is a web-based tool designed to provide quick and efficient access to descriptive statistics and analyses regarding commercial motor vehicle, driver, and carrier safety information. It is used by Federal and State enforcement personnel, as well as the motor carrier industry, insurance companies, academia, and the general public.

One of the FMCSA tools available on the A&I Online website is the Driver Information Resource (DIR). The DIR is a web-based lookup capability that provides easy access to individual driver safety performance and compliance history. It contains data on 3.5 million drivers, allows a user to search by driver for a driver's crash and inspection history regardless of a driver's employment history, allows a user to search by carrier for a driver's crash and inspection history while operating for the carrier, and is available to FMCSA and State enforcement personnel who are authorized users.

## 4.3. Licensing and Insurance (L&I) System

The [L&I System](#) is a client-server and web-based application with both public and private access. It is used to enter and display licensing and insurance information regarding authorized for-hire motor carriers, freight forwarders, and property brokers. It is the authoritative source for FMCSA licensing and insurance data. L&I is part of the registration process.

## 4.4. Safety and Electronic Records (SAFER)

[SAFER](#) consists of a website that displays carrier information available to the public, a store and forward mailbox system, secondary databases, and communication links. It handles user queries, database refreshes, and inbound data transfers. SAFER is currently an integral communication link for most FMCSA data transfers.

## 4.5. Commercial Driver's License Information System (CDLIS)

Mandated by the Commercial Motor Vehicle Safety Act 1986 (CMVSA), CDLIS provides information necessary for the issuance of a commercial driver's license (CDL) by the CDLIS jurisdictions (the 50 United States and the District of Columbia). The purpose of CDLIS is twofold: 1) to keep a record of each driver nationwide and to ensure only one driver license and one record for each driver; and 2) to enable authorized users to check whether a driver is withdrawn, through the cooperative exchange of commercial driver information between the CDLIS jurisdictions.

CDLIS operates in all 51 CDLIS jurisdictions. As of March 31, 2009, CDLIS had 13.9 million records and growing.

CDLIS consists of a Central Site and nodes at the Motor Vehicle Agencies (MVAs) of the 51 jurisdictions. The Central Site houses identification data about each commercial driver registered in the jurisdictions, such as:

- Name
- Date of birth
- Social Security Number
- State driver license number
- Also Known As (AKA) information
- Current 'State of Record' (SOR)

This information constitutes a driver's unique CDLIS Master Pointer Record (MPR). Each MVA houses detailed information about each driver for which it is the SOR. This detailed information, called the driver history, includes identification information, license information, and a history of convictions and withdrawals.

When a jurisdiction MVA queries CDLIS to obtain information about an applicant prior to issuing a CDL, the CDLIS Central Site compares data provided by the State of Inquiry (SOI) against all MPRs in CDLIS. If one

or more matches are returned, then the CDLIS Central Site 'points' the SOI to the SOR. The SOR can then provide the detailed information about the driver's commercial driving history.

#### 4.6. National Law Enforcement Telecommunication System (NLETS)

NLETS is a message switching network linking local, State, and Federal agencies together to provide the capability to exchange criminal justice and public safety related information interstate. The system is operated and controlled by the States. Every State is a member, and Federal systems such as the Federal Bureau of Investigation's National Crime Information Center (NCIC), U.S. Treasury's Treasury Enforcement Communications System (TECS), Department of Justice's System (JUST), Postal Inspection Service, Naval Investigation Service, Interpol, Air Force OSI, U.S. Secret Service, Department of State, Immigration Service Law Enforcement Support Center (LESC), and other Federal agencies also utilize the network. In 1990 an interface to the Royal Canadian Mounted Police (RCMP) was established. Additionally, the National Insurance Crime Bureau (NICB) provides service to the NLETS community.

#### 4.7. State Traffic Record Systems

There are various State systems used as data collection and reporting tools by the public safety community. These systems provide organizations with an information management tool to streamline and automate the capture and transfer of incident data (i.e., citations, accidents, etc.) in the field. Using mobile computing technologies to capture and report incident data where it occurs, these systems improve the accuracy, completeness, and timeliness of incident data and reduce users' administrative duties and paperwork. FMCSA is building generic import/export interfaces to support these State legacy systems.

#### 4.8. Federal Motor Carrier Safety Administration Website

FMCSA's [Frequently Asked Questions \(FAQ\)](#) web page provides answers to 480 frequently asked questions about FMCSA operations and procedures.

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# Appendix I: Response Letter Templates



# Appendix I: Response Letter Templates

What follows are the 16 Response Letter Templates developed in Microsoft Word to be used when communicating with DataQs filers. Each of these templates can also be found on the DataQs website at <https://dataqs.fmcsa.dot.gov/Data/templates.asp>.

# Appendix I: Response Letter Templates

## *Crash Assigned to Wrong Carrier*

(Filer's Name)

(Date)

(Title)

(Name of Company)

(Address)

(Address)

Dear [Name]:

Thank you for your filing on the [INSERT DataQs System or U.S. DOT Docket Management System] on [INSERT FILING DATE] requesting the removal of a crash from the safety analysis of your operation. Based on the information you provided, the crash occurred on [INSERT DATE OF EVENT] in [INSERT LOCATION OF EVENT].

[INSERT IF CRASH WAS MISASSIGNED TO THE CARRIER]

Your request was reviewed by [INSERT NAME] from the [INSERT STATE AGENCY NAME]. [INSERT NAME] determined that crash report [INSERT CRASH REPORT #] was incorrectly assigned to your operation. This record was removed from our files on [INSERT DATE] by the [INSERT STATE AGENCY]. We are sorry for any inconvenience this may have caused you.

[INSERT IF CRASH IS CORRECTLY ASSIGNED TO THE CARRIER]

Your request was reviewed by [INSERT NAME] from the [INSERT STATE AGENCY NAME]. [INSERT NAME] determined that the crash report [INSERT CRASH REPORT #] was correctly assigned to your operation. This report reflects [PROVIDE DETAIL OF CRASH EVENT] that occurred on [INSERT DATE OF EVENT]. Therefore, this is a correctly assigned crash report and will not be removed.

We appreciate your continued concern for the safe operation of your company's trucks, buses and drivers.

Sincerely yours,

(Name)

(State Title)

# Appendix I: Response Letter Templates

## *Duplicate Crash*

(Filer's Name)

(Date)

(Title)

(Name of Company)

(Address)

(Address)

Dear [Name]:

Thank you for your filing on the [INSERT DataQs System or U.S. DOT Docket Management System] on [INSERT FILING DATE] requesting the removal of a crash from the safety analysis of your operation. Based on the information you provided, the crash occurred on [INSERT DATE OF EVENT] in [INSERT LOCATION OF EVENT].

[INSERT IF CRASH IS A DUPLICATE]

Your request was reviewed by [INSERT NAME] from the [INSERT STATE AGENCY NAME]. [INSERT NAME] has determined that the crash report [INSERT CRASH REPORT #] is indeed a duplicate record. This record was removed from our files on [INSERT DATE] by the [INSERT STATE AGENCY]. We are sorry for any inconvenience this may have caused you.

[INSERT IF CRASH IS CORRECTLY ASSIGNED TO THE CARRIER]

Your request was reviewed by [INSERT NAME] from the [INSERT STATE AGENCY NAME]. [INSERT NAME] determined that the crash report [INSERT CRASH REPORT #] was correctly assigned to your operation. This report reflects [PROVIDE DETAIL OF CRASH EVENT] that occurred on [INSERT DATE OF EVENT]. Therefore, this is a correctly assigned crash report and it could not be removed.

We appreciate your continued concern for the safe operation of your company's trucks, buses and drivers.

Sincerely yours,

(Name)

(State Title)

# Appendix I: Response Letter Templates

## *Crash Preventability*

(Filer's Name)  
(Title)  
(Name of Company)  
(Address)  
(Address)

**MC-R**  
(Date)

Dear [Name]:

Thank you for your filing on the [INSERT DataQs System or U.S. DOT Docket Management System] on [INSERT FILING DATE] requesting that the Federal Motor Carrier Safety Administration (FMCSA) remove a crash from our safety analysis of your operation. Based on the information you provided, the crash occurred on [INSERT DATE OF EVENT] in [INSERT LOCATION OF EVENT].

I understand your concern that all crashes are factored into our safety analysis. I also realize the additional concern regarding the potential for impacting a carrier's business, since our safety analysis is made public. I would like to explain why we include all crashes in our analysis.

The FMCSA has several different types of safety data available for use in determining a carrier's safety status. We attempt to use as many different data sources as possible to determine the full picture of a carrier's safety operations. We report and use the information just as it is provided to us by carriers, Federal and State inspectors, and investigative personnel. Every analysis we perform includes all of the information we have on file on a carrier, so that there is no relative disadvantage to any particular carrier.

While it may be desirable to reflect only crashes determined to be 'preventable,' it is impossible to make that determination from only the information received from State commercial vehicle safety data. Resolving the preventability of a crash is not an exact science and, often, without employing extensive investigative resources, the determination can be very subjective.

I recognize the potential impact on a carrier's business that can result from posting our safety analysis on the Internet. However, I believe it is important that the public has the ability to look at a carrier's data in relationship to data on all other carriers. We posted warning messages, such as 'The Accident Safety Evaluation Area value represents carrier accident involvement only and is not intended as a means to assign fault' on the A&I site (<http://ai.volpe.dot.gov>) to ensure that the public understands that the data serve only as a pointer and not a determinant of a carrier's safety fitness.

Accordingly, FMCSA will make no changes to your safety record.

We appreciate your continued concern for the safe operation of your company's trucks, buses and drivers.

Sincerely yours,

(Name)  
(Federal Office Title)



# Appendix I: Response Letter Templates

## *Crash Reportability*

(Filer's Name)

(Date)

(Title)

(Name of Company)

(Address)

(Address)

Dear [Name]:

Thank you for your filing on the [INSERT DataQs System or U.S. DOT Docket Management System] on [INSERT FILING DATE] requesting the removal of a crash from the safety analysis of your operation. Based on the information you provided, the crash occurred on [INSERT DATE OF EVENT] in [INSERT LOCATION OF EVENT].

[INSERT IF CRASH IS NOT REPORTABLE]

Your request was reviewed by [INSERT NAME] from the [INSERT STATE AGENCY NAME]. [INSERT NAME] determined that the crash report [INSERT CRASH REPORT #] you referenced is not a reportable crash. This record was removed from our files on [INSERT DATE] by the [INSERT STATE AGENCY]. We are sorry for any inconvenience this may have caused you.

[INSERT IF THE CRASH IS REPORTABLE]

Your request was reviewed by [INSERT NAME] from the [INSERT STATE AGENCY NAME]. [INSERT NAME] determined that the crash report [INSERT CRASH REPORT #] you referenced, under State statute, is a reportable crash. This report reflects [PROVIDE DETAIL OF CRASH EVENT] that occurred on [INSERT DATE OF EVENT]. Therefore, no change was made to our records.

We appreciate your continued concern for the safe operation of your company's trucks, buses and drivers.

Sincerely yours,

(Name)

(State Title)

# Appendix I: Response Letter Templates

## *Incorrect Crash Data*

(Filer's Name)

(Date)

(Title)

(Name of Company)

(Address)

(Address)

Dear [Name]:

Thank you for your filing on the [INSERT DataQs System or U.S. DOT Docket Management System] on [INSERT FILING DATE] requesting the correction of crash information used in the safety analysis of your operation. Based on the information you provided, the crash occurred on [INSERT DATE OF EVENT] in [INSERT LOCATION OF EVENT].

[INSERT IF CRASH DATA IS CORRECTED]

Your request was reviewed by [INSERT NAME] from the [INSERT STATE AGENCY NAME]. [INSERT NAME] determined that the crash data [INSERT DATA CHANGED] was corrected on [INSERT CRASH REPORT #]. This record was updated in our files on [INSERT DATE] by the [INSERT STATE AGENCY]. We are sorry for any inconvenience this may have caused you.

[INSERT IF CRASH DATA IS NOT CHANGED]

Your request was reviewed by [INSERT NAME] from the [INSERT STATE AGENCY NAME]. [INSERT NAME] determined that the crash data [INSERT DATA CHALLENGED] are correctly reported in [INSERT CRASH REPORT #]. This report reflects [PROVIDE DETAIL OF CRASH EVENT] that occurred on [INSERT DATE OF EVENT]. Therefore, no change was made to our records.

We appreciate your continued concern for the safe operation of your company's trucks, buses and drivers.

Sincerely yours,

(Name)

(State Title)

# Appendix I: Response Letter Templates

## *Compliance Review/Safety Rating*



U.S. Department of Transportation  
Federal Motor Carrier Safety Administration

1200 NEW JERSEY AVENUE SE  
WASHINGTON, D.C. 20590

(Filer's Name)

(Date)

(Title)

(Name of Company)

(Address)

(Address)

Dear [Name]:

Thank you for your filing on the [INSERT DataQs System or U.S. DOT Docket Management System] on [INSERT FILING DATE] requesting the Federal Motor Carrier Safety Administration (FMCSA) to [INSERT ACTION REQUESTED TO THE COMPLIANCE REVIEW] that was used in our safety analysis of your operation. Based on the information you provided, the compliance review number is [INSERT COMPLIANCE REVIEW #] and the review was conducted on [INSERT DATE REVIEW CONDUCTED] in [INSERT LOCATION OF EVENT].

We contacted the Federal Motor Carrier Safety Administration's [INSERT STATE FIELD OFFICE] and spoke to [INSERT NAME] about the compliance review you referenced.

[INSERT IF COMPLIANCE REVIEW DATA WAS CHANGED]

[INSERT NAME] confirmed that [INSERT DATA THAT WERE CHANGED]. These data were changed in our files and are reflected in the most current release of the Motor Carrier Safety Measurement System (SMS) results on our Analysis and Information Online website ([ai.volpe.dot.gov](http://ai.volpe.dot.gov)). We are sorry for any inconvenience this may have caused you.

[INSERT IF COMPLIANCE REVIEW WAS NOT CHANGED]

[INSERT NAME] confirmed that [INSERT DATA THAT WAS NOT CHANGED]. The compliance review reflects the events of [INSERT COMPLIANCE REVIEW #]. Therefore, these data were not changed.

We appreciate your continued concern for the safe operation of your company's trucks, buses and drivers.

Sincerely yours,

(Name)

(Federal Office Title)

# Appendix I: Response Letter Templates

## *Incorrect Violation Data*

(Filer's Name)

(Date)

(Title)

(Name of Company)

(Address)

(Address)

Dear [Name]:

Thank you for your filing on the [INSERT DataQs System or U.S. DOT Docket Management System] on [INSERT FILING DATE] requesting the correction of violation data used in the safety analysis of your operation. Based on the information you provided, the violation was cited during an inspection that occurred on [INSERT DATE OF EVENT] in [INSERT LOCATION OF EVENT].

[INSERT IF VIOLATION DATA IS CORRECTED]

Your request was reviewed by [INSERT NAME] from the [INSERT STATE AGENCY NAME]. [INSERT NAME] determined that the [INSERT VIOLATION DATA CHANGED] was corrected on [INSERT INSPECTION REPORT #]. This record was updated in our files on [INSERT DATE] by the [INSERT STATE AGENCY]. We are sorry for any inconvenience this may have caused you.

[INSERT IF VIOLATION DATA IS NOT CHANGED]

Your request was reviewed by [INSERT NAME] from the [INSERT STATE AGENCY NAME]. [INSERT NAME] determined that the [INSERT VIOLATION DATA CHALLENGED] are correctly reported in [INSERT INSPECTION REPORT #]. This report reflects [PROVIDE DETAIL OF INSPECTION EVENT] that occurred on [INSERT DATE OF EVENT]. Therefore, no change was made to our records.

We appreciate your continued concern for the safe operation of your company's trucks, buses and drivers.

Sincerely yours,

(Name)

(State Title)



# Appendix I: Response Letter Templates

## *Duplicate Inspection Data*

(Filer's Name)

(Date)

(Title)

(Name of Company)

(Address)

(Address)

Dear [Name]:

Thank you for your filing on the [INSERT DataQs System or U.S. DOT Docket Management System] on [INSERT FILING DATE] requesting the removal of an inspection from the safety analysis of your operation. Based on the information you provided, the inspection occurred on [INSERT DATE OF EVENT] in [INSERT LOCATION OF EVENT].

[INSERT IF INSPECTION IS A DUPLICATE]

Your request was reviewed by [INSERT NAME] from the [INSERT STATE AGENCY NAME]. [INSERT NAME] determined that the inspection report [INSERT INSPECTION REPORT #] is indeed a duplicate record. This record was removed from our files on [INSERT DATE] by the [INSERT STATE AGENCY]. We are sorry for any inconvenience this may have caused you.

[INSERT IF INSPECTION IS CORRECTLY ASSIGNED TO THE CARRIER]

Your request was reviewed by [INSERT NAME] from the [INSERT STATE AGENCY NAME]. [INSERT NAME] determined that the inspection report [INSERT INSPECTION REPORT #] was correctly assigned to your operation. This report reflects [PROVIDE DETAIL OF INSPECTION EVENT] that occurred on [INSERT DATE OF EVENT]. Therefore, this is a correctly assigned inspection report and it was not removed.

We appreciate your continued concern for the safe operation of your company's trucks, buses and drivers.

Sincerely yours,

(Name)

(State Title)

# Appendix I: Response Letter Templates

## *Incorrect Inspection Data (Other)*

(Filer's Name)

(Date)

(Title)

(Name of Company)

(Address)

(Address)

Dear [Name]:

Thank you for your filing on the [INSERT DataQs System or U.S. DOT Docket Management System] on [INSERT FILING DATE] requesting correction of inspection information used in the safety analysis of your operation. Based on the information you provided, the [INSERT INSPECTION DATA CHALLENGED] were recorded during an inspection that occurred on [INSERT DATE OF EVENT] in [INSERT LOCATION OF EVENT].

[INSERT IF INSPECTION DATA IS CORRECTED]

Your request was reviewed by [INSERT NAME] from the [INSERT STATE AGENCY NAME]. [INSERT NAME] determined that the [INSERT DATA CHANGED] was corrected on [INSERT INSPECTION REPORT #]. This record was updated in our files on [INSERT DATE] by the [INSERT STATE AGENCY]. We are sorry for any inconvenience this may have caused you.

[INSERT IF INSPECTION DATA IS NOT CHANGED]

Your request was reviewed by [INSERT NAME] from the [INSERT STATE AGENCY NAME]. [INSERT NAME] determined that the [INSERT INSPECTION DATA CHALLENGED] are correctly reported in [INSERT INSPECTION REPORT #]. This report reflects [PROVIDE DETAIL OF INSPECTION EVENT] that occurred on [INSERT DATE OF EVENT]. Therefore, no change was made to our records.

We appreciate your continued concern for the safe operation of your company's trucks, buses and drivers.

Sincerely yours,

(Name)

(State Title)

# Appendix I: Response Letter Templates

## *Inspection Assigned to Wrong Carrier*

(Filer's Name)

(Date)

(Title)

(Name of Company)

(Address)

(Address)

Dear [Name]:

Thank you for your filing on the [INSERT DataQs System or U.S. DOT Docket Management System] on [INSERT FILING DATE] requesting the removal of an inspection from the safety analysis of your operation. Based on the information you provided, the inspection occurred on [INSERT DATE OF EVENT] in [INSERT LOCATION OF EVENT].

[INSERT IF INSPECTION WAS MISASSIGNED TO THE CARRIER]

Your request was reviewed by [INSERT NAME] from the [INSERT STATE AGENCY NAME]. [INSERT NAME] determined that the inspection report [INSERT INSPECTION REPORT #] was incorrectly assigned to your operation. This record was removed from our files on [INSERT DATE] by the [INSERT STATE AGENCY]. We are sorry for any inconvenience this may have caused you.

[INSERT IF INSPECTION IS CORRECTLY ASSIGNED TO THE CARRIER]

Your request was reviewed by [INSERT NAME] from the [INSERT STATE AGENCY NAME]. [INSERT NAME] determined that the inspection report [INSERT INSPECTION REPORT #] was correctly assigned to your operation. This report reflects [PROVIDE DETAIL OF INSPECTION EVENT] that occurred on [INSERT DATE OF EVENT]. Therefore, this is a correctly assigned inspection report and it was not removed.

We appreciate your continued concern for the safe operation of your company's trucks, buses and drivers.

Sincerely yours,

(Name)

(State Title)

# Appendix I: Response Letter Templates

## *Carrier Information (MCS-150)*

In Reply Refer to  
**MC-R**

(Filer's Name)  
(Title)  
(Name of Company)  
(Address)  
(Address)

(Date)

Dear [Name]:

Thank you for your filing on the [INSERT DataQs System or U.S. DOT Docket Management System] on [INSERT FILING DATE] requesting that the Federal Motor Carrier Safety Administration (FMCSA) update the [INSERT ITEM(S) REQUESTED TO BE CHANGED] information we have for your operation.

[FOR DMS FILING ONLY – INSERT IF CARRIER HAS NOT SUBMITTED AN MCS-150 FORM WITH UPDATES]

In order for us to make this change, you must file an updated Form MCS-150. For the quickest response to your request, you may complete and file this form on the Internet at <http://www.saferys.org>. If you prefer to file a paper copy, please call 1-800-832-5660 and a Form MCS-150 will be mailed to you.

[INSERT IF UPDATED MCS-150 FORM WAS RECEIVED]

We received the revised information for your operation on [INSERT DATE MCS-150 RECEIVED] and updated your [INSERT ITEM(S) REQUESTED TO BE CHANGED].

[INSERT IF UPDATED SMS INFORMATION IS REQUESTED]

Concerning your request for us to update your Motor Carrier Safety Measurement System (SMS) information, our standard procedure is to produce updated figures on a monthly cycle, generally during the first week of every month. When updated or modified data are received during a given month, they will be reflected in the next monthly update.

We appreciate your continued concern for the safe operation of your company's trucks, buses and drivers.

Sincerely yours,

(Name)  
(Federal Office Title)



# Appendix I: Response Letter Templates

## *Safety Audit*

(Filer's Name)

(Date)

(Title)

(Name of Company)

(Address)

(Address)

Dear [Name]:

Thank you for your filing on the [INSERT DataQs System or U.S. DOT Docket Management System] on [INSERT FILING DATE] requesting the Federal Motor Carrier Safety Administration (FMCSA) [INSERT ACTION REQUESTED TO THE SAFETY AUDIT] that was used in our safety analysis of your operation. Based on the information you provided, the safety audit number is [INSERT SAFETY AUDIT #] and the audit was conducted on [INSERT DATE AUDIT CONDUCTED] in [INSERT LOCATION OF EVENT].

We contacted the Federal Motor Carrier Safety Administration's [INSERT STATE FIELD OFFICE] and spoke to [INSERT NAME] about the safety audit you referenced.

[INSERT IF SAFETY AUDIT DATA WERE CHANGED]

[INSERT NAME] confirmed that [INSERT DATA THAT WERE CHANGED]. These data were changed in our files. We are sorry for any inconvenience this may have caused you.

[INSERT IF SAFETY AUDIT WAS NOT CHANGED]

[INSERT NAME] confirmed that [INSERT DATA THAT WERE NOT CHANGED]. The safety audit reflects the events of [INSERT SAFETY AUDIT #]. Therefore, these data were not changed.

We appreciate your continued concern for the safe operation of your company's trucks, buses and drivers.

Sincerely yours,

(Name)

(Federal Office Title)

# Appendix I: Response Letter Templates

## *Enforcement Action*

(Filer's Name)

(Date)

(Title)

(Name of Company)

(Address)

(Address)

Dear [Name]:

Thank you for your filing on the [INSERT DataQs System or U.S. DOT Docket Management System] on [INSERT FILING DATE] requesting the Federal Motor Carrier Safety Administration (FMCSA) [INSERT ACTION REQUESTED TO THE ENFORCEMENT] an enforcement action that was used in our safety analysis of your operation. Based on the information you provided, the investigation number is [INSERT INVESTIGATION #] and the action was initiated on [INSERT DATE EVENT INITIATED] in [INSERT LOCATION OF EVENT].

We contacted the Federal Motor Carrier Safety Administration's [INSERT SERVICE CENTER] Service Center and spoke to [INSERT NAME] about the enforcement action you referenced.

[INSERT IF ENFORCEMENT DATA WAS CHANGED]

[INSERT NAME] confirmed that [INSERT DATA THAT WAS CHANGED]. This data was changed in our files and is reflected in the most current release of the Motor Carrier Safety Measurement System (SMS) results on our Analysis and Information Online website ([ai.volpe.dot.gov](http://ai.volpe.dot.gov)). We are sorry for any inconvenience this may have caused you.

[INSERT IF ENFORCEMENT DATA WAS NOT CHANGED]

[INSERT NAME] confirmed that [INSERT DATA THAT WERE NOT CHANGED]. The enforcement action reflects the events of [INSERT INVESTIGATION #]. Therefore, these data were not changed.

We appreciate your continued concern for the safe operation of your company's trucks, buses and drivers.

Sincerely yours,

(Name)

(Federal HQ Title)

# Appendix I: Response Letter Templates

## *Interstate Carrier – Unregistered (No USDOT Number)*

(Filer's Name)

(Date)

(Title)

(Name of Company)

(Address)

(Address)

RE: Failure to Obtain a U.S. DOT Number

Dear [Name]:

A commercial vehicle roadside inspection, [INSPECTION NUMBER], recently conducted in [INSPECTION STATE] on [INSPECTION DATE] indicated that you do not have a Federally-required U.S. DOT Number.

Federal Motor Carrier Safety Regulations define the regulations that apply to your operation. 49 CFR Part 390 of the regulations deal with obtaining a U.S. DOT Number and filing a MCS-150 form with the Federal Motor Carrier Safety Administration (FMCSA). Failure to comply with the regulations may subject you to civil or criminal penalties.

If you have a U.S. DOT Number but did not display it on your vehicle during this inspection, please call me with that number.

If you do not have a U.S. DOT Number, you can apply for one via the FMCSA website at <http://www.fmcsa.dot.gov> or by calling 1-800-832-5660. There is no fee for filing the MCS-150 and obtaining the number. When you request your number, you must apply as a 'motor carrier.'

Please call me at [STATE CONTACT NUMBER] or email me at [STATE CONTACT EMAIL] and give me your U.S. DOT Number within 21 days from the date of this letter. Be sure to reference the inspection report number when you contact me. The number is on the attached report.

A copy of this letter is being sent to FMCSA.

Sincerely yours,

(Name)

(State Title)

(State Agency)

cc: FMCSA Division Office

Attachment – Inspection Report

# Appendix I: Response Letter Templates

## *HHG Complaint – Fraudulent (Did Not Do Business)*



U.S. Department of Transportation  
Federal Motor Carrier Safety Administration

1200 NEW JERSEY AVENUE SE  
WASHINGTON, D.C. 20590

In Reply Refer to  
**MC-E**  
(Date)

(Filer's Name)  
(Title)  
(Name of Company)  
(Address)  
(Address)

Dear [Name]:

Thank you for your filing on the [INSERT DataQs System or U.S. DOT Docket Management System] on [INSERT FILING DATE] requesting the removal of a complaint from the National Consumer Complaint Database (NCCDB). This complaint was filed by [INSERT HHG SHIPPER] regarding a household goods shipment that occurred on [INSERT DATE OF EVENT].

Under Federal law, complaints in the NCCDB relating to the transportation of household goods may be challenged only if they are duplicative or fraudulent. Since you do not allege the complaint duplicates another complaint in the NCCDB, your request will be treated as an allegation that the complaint is fraudulent. A complaint is considered fraudulent only if the filer of the complaint and the motor carrier did not do business together.

[INSERT IF COMPLAINT IS FRAUDULENT]

Your request was reviewed by Federal Motor Carrier Safety Administration (FMCSA). Based on the information presented, it was determined the complaint is fraudulent. This record was removed from the NCCDB on [INSERT DATE]. We apologize for any inconvenience this may have caused you.

[INSERT IF COMPLAINT IS NOT FRAUDULENT]

Your request was reviewed by the Federal Motor Carrier Safety Administration (FMCSA). Based on the information presented, it was determined the complaint is not fraudulent. Therefore this is a correctly assigned complaint report and it could not be removed.

We appreciate your interest in the betterment of household goods transportation.

Sincerely yours,

(Name)  
(Federal HQ Title)



# Appendix I: Response Letter Templates

## *HHG Complaint – Duplicate (Two Identical Complaints)*



U.S. Department of Transportation  
Federal Motor Carrier Safety Administration

1200 NEW JERSEY AVENUE SE  
WASHINGTON, D.C. 20590

In Reply Refer to  
**MC-E**  
(Date)

(Filer's Name)  
(Title)  
(Name of Company)  
(Address)  
(Address)

Dear [Name]:

Thank you for your filing on the [INSERT DataQs System or U.S. DOT Docket Management System] on [INSERT FILING DATE] requesting the removal of a complaint from the National Consumer Complaint Database (NCCDB). Based on the information you provided, you believe the complaint is duplicative of a previously filed complaint.

[INSERT IF COMPLAINT IS A DUPLICATE]

Your request was reviewed by the Federal Motor Carrier Safety Administration (FMCSA). Based on the information presented, it was determined the complaint is a duplicate. This record was removed from the NCCDB on [INSERT DATE]. We apologize for any inconvenience this may have caused you.

[INSERT IF COMPLAINT IS NOT A DUPLICATE]

Your request was reviewed by the Federal Motor Carrier Safety Administration (FMCSA). Based on the information provided, it was determined the complaint is not a duplicate. Therefore, this is a correctly assigned complaint report and it could not be removed.

We appreciate your interest in the betterment of household goods transportation.

Sincerely yours,

(Name)  
(Federal HQ Title)



## Appendix II: RDR Case Studies

# Appendix II: RDR Case Studies

CASE #1	RDR Based on Definition of Accident – Parked Vehicles
<b>RDR</b>	Carrier related that his truck was parked in the driveway when it slipped out of gear, so he was not operating the vehicle. The vehicle rolled across his residential street into another vehicle parked on the trafficway. The second vehicle incurred minimal damage.
<b>Key Points</b>	Carrier asserts this involves only parked vehicles not operating.
<b>Questions</b>	<ul style="list-style-type: none"> <li>• Is there a motor vehicle in-transport as a part of this accident? <b>Yes.</b></li> <li>• Was there a harmful event on the trafficway or un-stabilized situation that began on the trafficway? <b>Yes.</b></li> <li>• Is this a motor vehicle traffic accident? <b>Yes.</b></li> <li>• Is this accident reportable to FMCSA? (need to verify vehicles and severity)</li> <li>• How do you research the severity of the damage? Pull the crash report or CMV supplement-report; determine if the damaged vehicle(s) were towed due to disabling damage or not; Contact the reporting officer as needed. Also confirm if there was any person involved who suffered a qualifying injury and was transported for medical treatment.</li> </ul>
<b>Resolution</b>	<ul style="list-style-type: none"> <li>• Once a parked vehicle begins to move, it is in-transport, even if driverless. In this case, the vehicle began to move while off the trafficway, but the harmful event (the collision with another motor vehicle) occurred on the trafficway (vehicle in designated parking).</li> <li>• Although the original RDR was based on a parked vehicle, if there was no tow due to disabling damage, and no qualifying injury, this accident would not qualify as a reportable crash to SAFETYNET.</li> </ul>
<b>Recommended DataQs Response</b>	Because there was no crash severity that met the reportable criteria, this record should be removed.

CASE #2	RDR Based on an Exclusion – Natural Disaster
<b>RDR</b>	Carrier related that he parked his tractor (with no trailer) on the shoulder of the road due to 'white out' weather conditions and an enormous wind blew the vehicle over.
<b>Key Points</b>	Carrier asserts this involves a parked vehicle and the accident was caused by a natural disaster.
<b>Questions</b>	<ul style="list-style-type: none"> <li>• Is there a motor vehicle in-transport as a part of this accident? <b>No.</b></li> <li>• Was there a harmful event on the trafficway or an un-stabilized situation that began on the trafficway? <b>Yes.</b></li> <li>• Was this a natural disaster or not? Not necessary to determine.</li> <li>• Is this a motor vehicle traffic accident? <b>No.</b></li> <li>• Is this reportable to FMCSA? <b>No.</b></li> </ul>
<b>Resolution</b>	<ul style="list-style-type: none"> <li>• This is not a motor vehicle traffic accident (no motor vehicle was in transport) and therefore it does not qualify by the state definition.</li> <li>• The appeal to natural disaster is not relevant in this case.</li> <li>• Had the driver stopped on the travel portion of the roadway and parked, then the DataQs Analyst would need to evaluate if this qualifies based on a natural disaster.</li> </ul>
<b>Recommended DataQs Response</b>	The vehicle was parked off the roadway on the shoulder when the accident occurred. So this does not qualify as a motor vehicle traffic accident in the first place. The 'white out' weather condition is irrelevant in this case. The crash will be removed from the carrier's record.



<b>CASE #3</b>	<b>RDR Based on an Exclusion – Private Property and Parked Vehicle</b>
<b>RDR</b>	Carrier relates that a vehicle left the road and entered the company parking lot and collided with their large truck on the company's private property.
<b>Key Points</b>	RDR is focused on the location of the accident.
<b>Questions</b>	<ul style="list-style-type: none"> <li>• Is there a motor vehicle in-transport? <b>Yes.</b></li> <li>• Was there a harmful event on the trafficway or un-stabilized situation that began on the trafficway? <b>Yes.</b></li> </ul>
<b>Resolution</b>	<ul style="list-style-type: none"> <li>• This is a motor vehicle traffic accident since the driver lost control of the vehicle while on the trafficway.</li> <li>• The 'narrative and statement' fields on the crash report form note that the vehicle ran through a fence and entered the parking area where it collided with a parked vehicle.</li> <li>• The motor vehicle in-transport was towed due to disabling damage.</li> <li>• The large truck involved in the accident should be reported to FMCSA because the crash severity criteria were met.</li> </ul>
<b>Recommended DataQs Response</b>	The driver of the vehicle which hit the large truck lost control while on the trafficway and that makes this a traffic accident, not a private property accident. Because there was a tow-away due to disabling damage from the accident this crash record meets the criteria for reportable crashes to FMCSA.

CASE #4	Fire
<b>RDR</b>	We are requesting removal from our carrier profile in light of the following information. This circumstance was not an accident. The driver had a mechanical failure involving the brakes which caught the trailer on fire and the trailer burned to the ground. There was nothing left to tow and was then a recovery of metal parts of the trailer and the tractor incurred no damage and was able to be driven.
<b>Key Points</b>	A functional or mechanical problem can turn into a disabling condition. That the trailer was the unit affected and not the tractor is irrelevant.
<b>Questions</b>	<ul style="list-style-type: none"> <li>• Is a fire a reportable accident? <b>Yes (when it results in a qualified severity)</b></li> <li>• Does it matter that it was the trailer which burned to the ground? <b>No</b></li> </ul>
<b>Resolution</b>	<ul style="list-style-type: none"> <li>• The fact that the tractor drove away does not change whether this was reportable or not. Truck/trailers and tractor/trailers should be treated as one unit in determining involvement.</li> <li>• A few States report a trailing unit separately from the truck/tractor on the crash form, but it is not reported separately in SAFETYNET. States do not define a trailer to be a 'motor vehicle.' As a result, not all States collect trailer information. So, it should be noted that while trailers are included in FMCSR definition of a motor vehicle, there is no way to collect them as vehicle records.</li> </ul>
<b>Recommended DataQs Response</b>	This is a non-collision, single CMV traffic accident and qualifying fires are accidents reportable to FMCSA per 49 CFR 390.5. The fact that the tractor drove away does not change the fact that this is a reportable accident. Truck/trailers and tractor/trailers should be treated as one unit in determining involvement. This record will remain on the company's profile.




# DataQs

## User Guide and Manual

FIRST EDITION JANUARY 2011

A Better Way to File and Manage  
Requests for Review of FMCSA Data.  
<http://dataqs.fmcsa.dot.gov>



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**SSDQ**  
State Safety Data Quality Program



U.S. Department of Transportation  
Federal Motor Carrier Safety Administration