



# How to knock out bad inspection or crash data with DataQs

Interest in the online tool used to challenge bad inspection and crash data – known as DataQs – is increasing, leaving many motor carriers and drivers with questions about how to use it.

The widespread use of electronic logs may be partly to blame. Since December, the enforcement community, drivers, and motor carriers have been forced to deal with a wide variety of electronic logging devices governed by overlapping regulations and running a variety of software. This has caused officers to sometimes cite or warn drivers improperly, and/or drivers to think they've been cited incorrectly.

That's where DataQs comes in. The online tool from the Federal Motor Carrier Safety Administration (FMCSA) allows drivers and motor carriers to challenge violation, crash, and other data that the agency has on file.

The following frequently asked questions (FAQs) and tips can help you submit a successful challenge if your safety record includes bad data resulting from a crash or roadside inspection.

## Q: Who can use DataQs?

**A:** Drivers, motor carriers, federal and state agencies, and others who have concerns about any federal or state data released to the public by the FMCSA. DataQs is most commonly used to challenge “bad” data appearing on roadside inspection reports

## Q: How much does DataQs cost?

**A:** Nothing, it's free.

## Q: Where do I start?

**A:** You start by creating an account on the DataQs website, at: [dataqs.fmcsa.dot.gov](https://dataqs.fmcsa.dot.gov). If you already have an FMCSA Portal account, you can log in to the Portal ([portal.fmcsa.dot.gov](https://portal.fmcsa.dot.gov)) and access DataQs from there. You'll need your DOT number and PIN to get full functionality. If you lost your DOT-assigned PIN, the website has instructions for requesting it.

In the “My DataQs” area of the website, you can click “Add a Request” to submit a challenge or request.

## How do I enter a Request for Data Review (RDR)?

Anyone may enter an RDR into DataQs by selecting the “Add a Request” button from the My DataQs dashboard. When the button is selected, a tool instructs the user through a step-by-step process.

- **Step 1:** Select the option describing the event type to be reviewed and click “Next.”
- **Step 2:** Select the option describing the reason for having the information reviewed and click “Next.”  
**Step 2 selection is most likely this:**
- *inspection – Incorrect Information*  
By choosing this option, you believe that data on your inspection report is different than the paper version. Example data elements include: incorrect inspection level, incorrect location, etc.
- If this inspection is not your company's or has an incorrect driver listed, select the “Not mine (motor carrier, driver, IEP or shipper)” RDR option.
- If this inspection report contains an incorrect violation, please select the “Violation is incorrect or listed multiple times” RDR option.
- **Step 3:** Confirm the selected choice and click “Next.”
- **Step 4:** Enter details of the event, specific to the type of request chosen, and click “Next.”  
Note – Once a State is selected, the report number field will offer a selection of available reports. Selecting or entering a valid report number will allow parts of the form to be automatically populated with the corresponding information.
- **Step 5:** Upload any available documentation (documents may be added at a later time, for a speedier review, upload is encouraged upon request submission).
- **Step 6:** Confirm the entered information is correct.

When the request is loaded into DataQs, an acknowledgement is generated. The request is then forwarded to an organization for research, and email notifications are sent to State- and FMCSA-selected individuals within their organizations

You can view inspection details online at the following websites:

- The Safety Measurement System (SMS) (<http://ai.fmcsa.dot.gov/sms>)
- FMCSA Portal (<https://portal.fmcsa.dot.gov>)
- Carrier Profile ([http://safer.fmcsa.dot.gov/CSP\\_Order.asp](http://safer.fmcsa.dot.gov/CSP_Order.asp))

## Q: What is an “RDR”?

A: A “request for data review” (RDR) is the official name for what you submit when you challenge bad data in DataQs or otherwise submit a request through the site.

## Q: What types of information or data can I challenge?

A: You can challenge the following types of data through DataQs:

### Crashes

- A crash that is not yours, i.e., that did not involve your vehicle or driver.
- A crash that was not a DOT-reportable crash, i.e., one that was not an “accident” as defined in 49 CFR Sec. 390.5.
- A duplicate crash, i.e., a crash that is listed more than once.
- A DOT-reportable crash record is missing from your safety record.
- A crash report contains incorrect information (e.g., an incorrect fatality or injury count).

**TIP: If you think that a violation noted on a post-crash inspection report is incorrect, select the option to challenge an inspection, not a crash.**

**NOTE:** If you think a crash could not be prevented, you may be able to challenge it through the “Crash Preventability Demonstration Program,” available from the home page on the DataQs website. The crash won’t be removed from your record, but it may be shown as a non-preventable crash. Only eight specific types of crashes are eligible for review.

### **Roadside Inspections**

- A violation from a roadside inspection is incorrect or is listed multiple times.
- A violation or inspection is not yours, i.e., it was recorded under the wrong motor carrier or driver.
- An inspection record is missing.
- An inspection is listed multiple times.
- An inspection report contains incorrect information.
- You want to have an adjudicated citation removed.\*

**\*NOTE:** You can challenge a citation that a driver received during an inspection that took place on or after August 23, 2014, if a court or other adjudicator found the driver not guilty, the case was dismissed, or the driver was convicted of a different charge. On the DataQs site, select the “Inspections/Violations” type of request and then select “Citation associated with a violation on an inspection.”

**TIP: Enter the inspection report number accurately! You need to make sure your request is tied to the right inspection. If an inspection report number includes the state abbreviation as the first two characters, do NOT input the state abbreviation as part of the report number.**

### **Audits/Investigations**

- There is an error with the results of a safety audit.
- There is an error with the results of a compliance review (but you cannot use DataQs to challenge errors in the way a safety rating was determined).
- There is an error with a CSA investigation.
- There is an error with a Notice of Claim (a fine) or a Notice of Violation. However, see Sec. 386.14 for rules for responding to notices of claim.
- You updated your MCS-150 but the FMCSA is not displaying the updated information after its monthly update.
- You want review of a household goods complaint, e.g., it’s fraudulent or a duplicate.
- There’s an error in your Operating Authority information.
- There’s an error in your insurance information.
- You want to report a carrier that is registered improperly.

**TIP: Be sure to make the right choices when entering your challenge or request!**

## **Q: Can I challenge a “DAC report” using DataQs?**

**A:** No. The FMCSA is not associated with DAC reports.

## **Q: I never received a copy of a roadside inspection report. Can I request one?**

**A:** Yes, you can request copies of roadside inspection reports through DataQs. After selecting “Add a Request,” choose the “Inspections/Violations” event type and then select “Never received a copy or lost the report.” You’ll be asked for certain details like the state where the inspection occurred, the date, report number, carrier name, etc.

**TIP:** You can view inspection reports online through the FMCSA’s Portal site or the CSA Safety Measurement System site.

## **Q: Where can I look to find the most up-to-date FMCSA data?**

**A:** The FMCSA’s Portal website ([portal.fmcsa.dot.gov](http://portal.fmcsa.dot.gov)) is updated nightly and contains the most recent inspection data. The CSA Safety Measurement System (SMS) and the Pre-Employment Screening Program (PSP) sites are updated monthly.

## **Q: How long will it take to get a response to my challenge?**

**A:** It depends on the state. The FMCSA wants states to respond to data challenges within 10 business days, but the agency has no direct control over the process. However, the FMCSA does get alerted when a state falls behind, so there is some oversight.

**TIP:** Log in to the DataQs website periodically to check the status of your request on the home page.

## **Q: Who handles my challenge?**

**A:** Usually someone at the state enforcement agency for the state where the inspection or crash occurred, although the FMCSA may also respond if the challenge involves the FMCSA directly.

## **Q: How long do I have to challenge bad data?**

**A:** For challenges to inspection-related data, you can file a challenge up to three years from the date of inspection. For crash-related data, you have up to five years from the date of the crash. However, due to a change in policy, crashes that took place before April 1, 2014, are no longer eligible for review.

**TIP:** Submit your challenge as quickly as possible! The longer you wait, the more likely it is that details will be forgotten by parties on both sides. This means you should be monitoring the FMCSA’s data as often as possible.

## **Q: Can I challenge a violation before it’s visible on the CSA website?**

**A:** Yes. The sooner you can challenge bad data, the better. You can submit a challenge as soon as you have the inspection report in hand (so you have the details necessary to file a challenge).

## Q: Can I appeal a DataQs decision?

A: Yes, one appeal is allowed.

**TIP: Be sure to provide new information or additional documentation in your appeal, or it may be rejected. Don't expect a different result if you submit the exact same information.**

## Q: An inspection report shows that my driver was only issued a warning but the alleged violations are still affecting my CSA scores. Can I challenge the violations?

A: Yes, if the violations were inaccurate. However, the CSA system relies on all violations noted during roadside inspections, including those that the state considers to be warnings. Challenging the warning would require some proof that the violation didn't exist, was recorded in error, was listed multiple times, etc. If you think there's an error, you can challenge it on DataQs using the same process for challenging any violation.

## Q: If I intend to challenge a roadside inspection result, should I still sign and submit the inspection report within 15 days?

A: Yes, the 15-day deadline still applies even if you intend to challenge the report.

## Q: Do I need to submit supporting documentation?

A: It depends. If you submit a challenge and are later asked for supporting documentation, you must submit whatever was requested. If you are submitting an initial challenge, then you do not necessarily need to add supporting documentation but you'll probably have more success if you do. In fact, challenges that include documentation are almost twice as likely to be successful as those without. Only submit documents that are accurate and relevant to your case.

**TIP: Don't submit a long dissertation with your challenge! Stick to the facts at hand and include relevant documentation. Keep your request professional and detailed.**

Supporting documents might include:

- Copies of roadside inspection or crash reports
- Statements from maintenance personnel or roadside assistance services
- Shipping papers
- Lease, contract, or rental paperwork
- Applicable regulations
- FMCSA interpretations or guidance documents
- Documentation from the driver's file showing that he/she was properly licensed and/or qualified at the time of the inspection.
- Drivers' logs
- Any special exemptions or waivers that apply to your drivers or company
- Vehicle registration
- IRP cab card
- Photos with a time/date stamp

- The “notes” section of the inspection report obtained from the state enforcement agency, if it can be obtained

**TIP: If the reviewing agency asks you to submit more information but it’s going to take you longer than 14 days to submit it, ask for an extension. The state has the authority to grant you more time.**

**Q: My driver was cited for an ELD violation for not being able to transfer his/her log data electronically (or any other ELD-specific requirement), but he/she is using a grandfathered Automatic On-Board Recording Device (AOBRD). Can I get the violation removed?**

**A:** You should try! Drivers using AOBRDs are required to meet the AOBRD standards in Sec. 395.15 but not the ELD standards in Part 395, Subpart B. The AOBRD standards do not require AOBRDs to be capable of transferring log data electronically to an officer. They do, however, need to display or print certain data.