Don't Forget About DataQ

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DataQ provides motor carriers and drivers with an important mechanism for ensuring FMCSA's data is correct and accurate. As CSA is public, DataQ has become even more important to motor carriers to ensure that incorrect data is promptly removed from their scores. Here are some things you should know about DataQ:

I. ROADSIDE INSPECTION VIOLATIONS V. TRAFFIC CITATION

You or your driver is cited as a result of a roadside violation. You successfully defend against the citation through the court system. As a result, the violation on the inspection report will not show up on your CSA BASICs score, right? Wrong.

The citation you receive as a result of an inspection violation is treated completely separate from the violation on the inspection report itself. The key is the database that records the data.

A citation for a violation that is not also noted on a roadside inspection report will not count against you for the purposes of CSA. However, the citation is forwarded to the state for inclusion the MVR database.

CSA is a federal government program. It draws data from the federal database. That database is comprised of information from roadside inspection reports. Thus, the only way a violation contributes to your Safety Management System (SMS) score under CSA is if the violation is reported to the federal database, which requires a roadside inspection report.

A successful challenge in court removes the citation from the state's database and takes it off the MVR. However, it remains in the federal database upon which CSA scores are based in the absence of some additional action. That action is a DataQ challenge.

The only way to challenge a violation listed on an inspection report is through DataQ. A motor carrier may review their BASIC score through the FMCSA's Safety Measurement System (SMS) website. If the motor carrier finds a violation that it believes is not supported or appropriate, the motor carrier may challenge the violation through the DataQ website.

This means that it is crucial that a motor carrier review their BASIC score often to verify that all information is correct. A company's SMS score is continually updated.

When a motor carrier challenges an inspection violation through DataQ, the information is reviewed by the agency that provided the information on the violation. For instance, if the inspection was performed in Pennsylvania, it will be the Pennsylvania State Police who will review the challenge and make the determination on whether the violation will be removed.

II. STATES MAY TREAT DATAQ CHALLENGES DIFFERENTLY

Each state has an office that reviews DataQ challenges and each state may impose its own rules on how DataQ challenges are handled. This means that different states may treat their DataQ challenges differently. For instance, some states may consider the outcome of the citation in the court system when determining whether to remove a violation that has been challenged through DataQ.

In Pennsylvania, being successful in defending a citation through the court system will not influence a challenge through the DataQ system. Your appeal through DataQ is considered separately from the traffic citation and you do not need to fight the traffic citation in order to win a DataQ appeal.

Also, some states may impose a time limit for challenging a violation through DataQ. For instance, in Pennsylvania a driver is required to submit any DataQ challenges within 30 days of the roadside violation while a motor carrier has up to a year to file a DataQ challenge.

II. CRASH DATA

DataQ may also be used to challenge crash data that is recorded through CSA. However, this is of limited viability. For purposes of CSA, whether a motor carrier is responsible for the accident is not considered and any reportable accident will be included in the CSA score.

However, if your driver was improperly assessed a "crash," such as non-contact or noninvolvement, it could be a basis for a challenge. Similarly, if the accident was "nonreportable," it similarly could be properly challenged.

III. PROMPTLY MAKE DATAQ CHALLENGES

It is important to submit your DataQ challenge in a timely fashion. First, make sure you submit a DataQ challenge within any state imposed time limitations, if applicable, as discussed above.

Second, your score will reflect the violation while your DataQ challenge is being considered. Even more important, this violation will be scored at triple the points for the first six months.