

Adjudicated Citations Key Terms Glossary

Abeyance: Pending action or court decision.

Adjudicated Citation: Refers to a citation that has been contested and resolved through a due process proceeding in a State, local, or administrative tribunal, regardless of how the action is resolved, whether by a judge or prosecutor or as part of a plea agreement or otherwise.

Citation: Refers to a notice, issued by a law enforcement officer to a commercial motor vehicle (CMV) driver for a violation of State law or a State-adopted Federal Motor Carrier Safety Regulation or Hazardous Materials Regulation. The driver may contest the citation through a State-provided administrative or judicial system.

Conviction: The Federal Motor Carrier Safety Administration (FMCSA) defines “conviction” in 49 CFR 383.5 and 390.5 as an unvacated adjudication of guilt, or a determination that a person has violated or failed to comply with the law in a court of original jurisdiction or by an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person’s appearance in court, a plea of guilty or nolo contendere accepted by the court, the payment of a fine or court costs, or violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended, or probated.

Court Costs: FMCSA interprets “court costs” as fees imposed by a court or administrative tribunal that are intended to cover the State’s expenses of handling the case. Payment of an incidental expense uniformly imposed on all persons that appear before a particular court or tribunal regardless of case outcome should not be considered a court cost that qualifies as a conviction under FMCSA’s regulatory definition. Examples of excluded, non-punitive court costs include but are not limited to scheduling fees, the cost of a certified copy of the court’s docket or order, or attorney fees.

DataQs: DataQs is an online system that provides an electronic means for drivers, motor carriers, and members of the public to submit concerns about the accuracy of crash, inspection, and violation data in FMCSA data systems. When a Request for Data Review (RDR) is filed, the DataQs system automatically forwards the request to the appropriate Federal or State office for processing and resolution (<https://dataqs.fmcsa.dot.gov>).

Fine: A sum of money imposed as a penalty for an offense. A court cost may be considered a fine when the amount charged exceeds the amount generally imposed for court costs and is akin to a penalty.

Motor Carrier Management Information System (MCMIS): MCMIS contains records of inspections, including violations observed by law enforcement officers, during such CMV inspections. MCMIS interfaces with other FMCSA databases, including the Safety and Fitness Electronic Records (SAFER) System, the Pre-Employment Screening Program (PSP), and the Safety Measurement System (SMS).

Nolo Contendere: A legal term used when a defendant does not contest a charge.

Pre-Employment Screening Program (PSP): A Federal program that allows motor carrier employers and persons conducting pre-employment services to obtain a commercial driver's five-year crash and three-year inspection history for the purposes of making hiring decisions. Driver consent is required.

Request for Data Review (RDR): A request for data correction that motor carriers and drivers submit through DataQs concerning publicly available data related to roadside inspections or other events. The RDR is then forwarded to the respective State of data origin for review.

Safety Measurement System (SMS): The foundation of FMCSA's Compliance, Safety, Accountability program that evaluates safety performance and compliance data on motor carriers from all 50 States, including data from all roadside inspections, State-reported crashes, and investigations. SMS results are used to prioritize FMCSA's workload—giving those carriers with the highest safety compliance risk priority for interventions. The SMS is regularly updated to provide FMCSA with a clear understanding of safety performance and compliance on our Nation's roads.

SAFETYNET: A State database management system that allows entry, access, analysis, and reporting of State data from driver/vehicle inspections, crashes, investigations, assignments, and complaints. SAFETYNET provides data to MCMIS, which interfaces with other FMCSA databases, including the SAFER System, PSP, and SMS.

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

AUGUST 2014 | FMC-CSA-14-018