



# **Title VI Program and Language Access Plan**

**FY 2024**

*"The Maryland Department of Transportation is a customer - driven leader that delivers safe, sustainable, intelligent, and exceptional transportation solutions in order to connect our customers to life's opportunities."*

**Federal Motor Carrier Safety Administration**

# **TABLE OF CONTENTS**

	<b>Page</b>
<b>TABLE OF CONTENTS</b>	<b>1</b>
<b>INTRODUCTION</b>	
MVA Introduction Statement	2
MVA Overview	2
MVA Title VI Program Plan Purpose	3
MVA Mission Statement	3
MVA Administrator's Title VI Program Policy Statement	4
Title VI Program Assurances signed by MVA Administrator	5
<b>MVA OFFICE OF CIVIL RIGHTS AND FAIR PRACTICES</b>	
Office of Civil Rights and Fair Practices (OCRFP) Overview	14
MVA OCRFP Organizational Chart	14
OCRFP & Equal Employment Opportunity Functions	15
OCRFP & Title VI Program Responsibilities	15
Title VI Program Manager Responsibilities	16
<b>TITLE VI PROGRAM, PROCEDURES, PLANS AND GOALS</b>	
Title VI Program & LEP Authorities	18
Description of Federal Aid Programs	20
Title VI Program Monitoring Procedures	25
Sub Recipient Compliance	25
Title VI Program Training	25
Access to Records	26
Status of Corrective Action	26
Commercial Motor Vehicle Inspection Selection Policy	26
Unbiased Enforcement Policy	26
Title VI Program Complaint Disposition Process	26
MVA Title VI Program Complaint Form	30
MVA Title VI Compliant Log Sample	32
Public Participation Plan	32
Notification to Public	33
<b>LANGUAGE ACCESS PLAN AND LIMITED ENGLISH PROFICIENCY (LEP)</b>	<b>35</b>
Overview of Language Access Plan	35
Four Factor Analysis	37
Premier Customer Service, Accessibility, and System upgrades	38

## INTRODUCTION

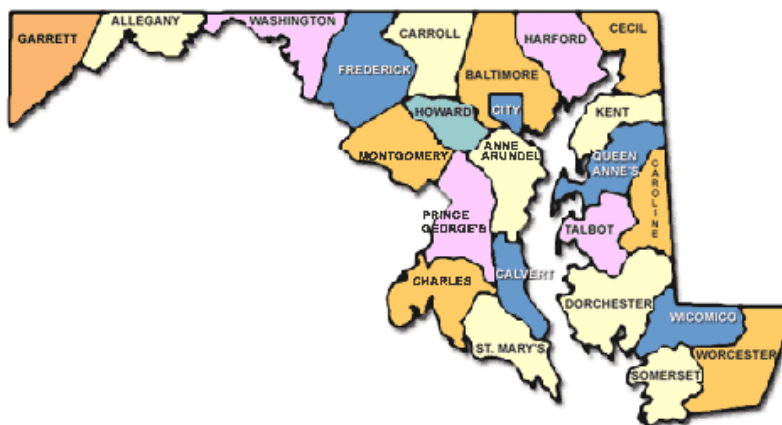
As a recipient of Federal funding, the Motor Vehicle Administration (MVA) is required to comply with Title VI of the Civil Rights Act of 1964 (Title VI), as amended, and other nondiscrimination laws and authorities. Title VI prohibits all state agencies receiving Federal funds from discriminating against anyone or any group in the United States, on the basis of race, color, and national origin. Related nondiscrimination authorities also prohibit discrimination based on limited English proficiency, sex, age, low-income status, and disability. The Motor Vehicle Administration is a recipient of Federal financial assistance and fully complies with all aspects of Title VI.

It is the responsibility of the Administration to ensure that MVA employee, contractor, or person employed by a contractor, customer, or any stakeholder served by the MVA, be discriminated against, excluded from participation in, or denied the benefits of, any program or activity supported by the MVA. It is also the responsibility of MVA employees to work cooperatively to achieve the goals and objectives of the Title VI Program Plan. As an organization, the MVA will work diligently to ensure that the vision and intent of the law are abided by, in all phases of its operation.

The Title VI Program is the “system of requirements” developed to implement Title VI of the Civil Rights Act of 1964 and related nondiscrimination authorities. The Title VI Program includes Limited English Proficiency (LEP), Environmental Justice, and The Americans with Disabilities Act (ADA).

## MVA Overview

The Motor Vehicle Administration (MVA) provides the residents of Maryland with a wide range of driver licensing and vehicle services in addition to promoting driver safety initiatives and educational outreach programs. The MVA operates 24 full and limited-service offices throughout Maryland and one mobile bus. For a detailed list of services available at each location or the mobile bus, please visit [www.MVA.maryland.gov](http://www.MVA.maryland.gov).



The MVA Branches and Glen Burnie Headquarters Division Offices successfully work together to ensure driver licensing, vehicle registration, and numerous other services are provided professionally and courteously to our customers. The MVA proactively monitors and evaluates customer needs at each

location, exploring and updating methods to offer greater service accessibility and alternative delivery methods.

### **Motor Vehicle Administration Plan**

The Title VI Plan is developed to ensure that the Motor Vehicle Administration (MVA) is compliant with the provisions of Title VI of the Civil Rights Act of 1964, as amended, and related nondiscrimination authorities.

The MVA reporting responsibility to Federal agencies is as follows. The Federal Motor Carrier Safety Administration (FMCSA) Office of Civil Rights is an important partner in carrying out FMCSA's Title VI Program requirements, including those at 49 C.F.R. Parts 21 and 303. As stated in the Title VI Program Assurance, the MVA commits to uphold FMCSA requirements. The Office of Civil Rights and Fair Practices (OCRFP) is the office within the MVA assigned to implement planning, developing, monitoring, and evaluating federally mandated civil rights statutes and programs. The OCRFP also coordinates with internal program areas to ensure compliance with applicable federal laws and regulations.

To ensure full and affirmative compliance with the Title VI Program requirements, the MVA assures its federal funding sources that each organizational unit identified in this plan is carefully monitored with respect to the applicable civil rights programs and federal laws. The protections against discrimination extend to all operations of an agency receiving federal assistance, not just to the grant-funded activity. The Civil Rights Restoration Act of 1987 clarified the broad institution-wide application of Title VI and other nondiscrimination statutes. The term "program" or "activity" means all operations, whether such programs and activities are federally funded or not.

The MVA will enhance its public involvement activities to ensure the meaningful participation of minority and low-income populations and improve access to services for persons with Limited English Proficiency (LEP). Throughout this plan, the MVA has incorporated detailed information on the services offered in support of LEP and the customers we serve.

The MVA will work with Federal, State, and local planning partners to create and enhance inter-modal systems and support projects with significant public contact to ensure compliance with Title VI of the Civil Rights Act of 1964, as amended.

### **Motor Vehicle Administration Mission**

The MVA Title VI Program Plan is prepared in accordance with all applicable federal requirements and supports our mission to provide our customers with exemplary driver and vehicle services. The MVA will work diligently to ensure that all recipients and subrecipients of federal funds will conduct their business activities fairly and free from discriminatory practices. The MVA Mission Statement reads: *"The Maryland Department of Transportation is a customer-driven leader that delivers safe, sustainable, intelligent, and exceptional transportation solutions in order to connect our customers to life's opportunities."*


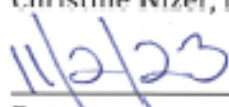


## Title VI Policy Statement

The Maryland Department of Transportation Motor Vehicle Administration (MDOT MVA) assures non-discrimination in the award of and performance of all MVA business activities. As the Administrator of the MVA, I am personally committed to uphold the intent and spirit of Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987. MVA complies with 49 Code of Federal Regulations (CFR) Part 21 and 49 CFR Part 303, and all other state and federal civil rights laws, regulations and related authorities as identified in the Title VI Program Assurance, to the fullest extent possible. This commitment extends to all MVA programs.

It is MVA's vision that no person shall be discriminated against on the basis of race, color, national origin, limited English proficiency, sex, age, low-income status or disability. It is this MVA's responsibility to assure that no persons or beneficiaries be discriminated against, be excluded from participation in, or denied the benefits of any program or activity supported by MVA. It is also the responsibility of every employee of MVA to work cooperatively to achieve the goals and objectives of the Title VI Plan. As an organization, MVA will work diligently to ensure the vision and intent of the law is carried out in all phases of our operation. MVA designates The Office of Civil Rights and Fair Practices as the office responsible for ensuring compliance with all Title VI requirements.

As the Administrator of MDOT MVA, I am fully committed to the goal of achieving equal opportunity and non-discrimination for all businesses associated with MVA, and associated transportation and related support industries.

  
Christine Nizer, MDOT MVA Administrator  
  
Date

## The United States Department of Transportation

### Standard Title VI/Non-Discrimination Assurances

#### DOT Order No. 1050.2A

The **Maryland Department of Transportation - Motor Vehicle Administration** (herein referred to as the “Recipient”), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the United States Department of Transportation (DOT), through the **Federal Motor Carrier Safety Administration (FMCSA)**, is subject to and will comply with the following:

#### Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 Stat. 252), (prohibits discrimination on the basis of race, color, national origin)
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Title IX of the Education Amendments of 1972, as amended, (20 U.S.C. § 1681 *et seq.*), (prohibits discrimination on the basis of sex in education programs or activities);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability);
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 *et seq.*), (prohibits discrimination on the basis of disability);
- 49 C.F.R. part 21 (entitled *Nondiscrimination in Federally-Assisted Programs Of The Department Of Transportation—Effectuation Of Title VI Of The Civil Rights Act Of 1964*);
- 49 C.F.R. part 27 (entitled *Nondiscrimination on The Basis Of Disability In Programs Or Activities Receiving Federal Financial Assistance*);
- 49 C.F.R. part 28 (entitled *Enforcement of Nondiscrimination On The Basis Of Handicap In Programs Or Activities Conducted By The Department Of Transportation*);
- 49 C.F.R. part 37 (entitled *Transportation Services for Individuals With Disabilities (ADA)*);
- 49 C.F.R. part 303 (FMCSA’s Title VI/Nondiscrimination Regulation);
- 28 C.F.R. part 35 (entitled *Discrimination on The Basis Of Disability In State And Local Government Services*);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

The preceding statutory and regulatory cites hereinafter are referred to as the “Acts” and “Regulations,” respectively.

Although not applicable to Recipients directly, there are certain Executive Orders and relevant guidance that direct action by Federal agencies regarding their federally assisted programs and activities to which compliance is required by Recipients to ensure Federal agencies carry out their responsibilities. Executive Order 12898 (1995), entitled “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” emphasizes that Federal agencies should use existing laws to achieve Environmental Justice, in particular Title VI, to ensure nondiscrimination against minority populations. Recipients should be aware that certain Title VI matters raise Environmental Justice



concerns and FMCSA intends that all Recipients evaluate and revise existing procedures (as appropriate) to address and implement Environmental Justice considerations. See the following FHWA website for more information and facts about Environmental Justice:

[http://www.fhwa.dot.gov/environment/environmental\\_justice/index.cfm](http://www.fhwa.dot.gov/environment/environmental_justice/index.cfm)

Additionally, Executive Order 13166 (2001) on Limited English Proficiency, according to the U.S. Department of Justice in its Policy Guidance Document dated August 16, 2000 (65 Fed. Reg. at 50123), clarifies the responsibilities associated with the “*application of Title VI’s prohibition on national origin discrimination when information is provided only in English to persons with limited English proficiency.*” When receiving Federal funds Recipients are expected to conduct a Four-Factor Analysis to prevent discrimination based on National Origin. (See also U.S. DOT’s “*Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons,*” dated December 14, 2005, (70 Fed. Reg. at 74087 to 74100); the Guidance is a useful resource when performing a Four-Factor Analysis).

### **General Assurances**

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

*“No person in the United States shall, on the grounds of race, color, national origin, sex, age, disability, low-income, or LEP be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from DOT, including the FMCSA.”*

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973) by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally-assisted.

### **Specific Assurances**

More specifically, and without limiting the above general Assurances, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted **FMCSA Program**:

1. The Recipient agrees that each “activity,” “facility,” or “program,” as defined in 49 C.F.R. §§ 21.23 (b) and 21.23 (e) will be (with regard to an “activity”) facilitated, or will be (with regard to a “facility”) operated, or will be (with regard to a “program”) conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations;
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with the FMCSA Program and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

*“The Maryland Department of Transportation - Motor Vehicle Administration in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252,*

*42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, all contractors will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of the owner's race, color, national origin, sex, age, disability, income-level, or LEP in consideration for an award.”;*

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations;
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient;
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith;
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property;
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
  - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
  - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
  - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
  - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.



10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

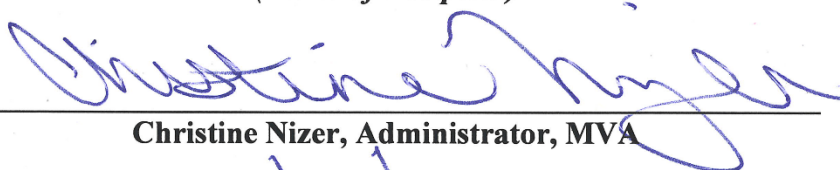
By signing this ASSURANCE, **Motor Vehicle Administration** also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the **FMCSA** access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the **FMCSA**. You must keep records, reports, and submit the material for review upon request to **FMCSA**, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

**Motor Vehicle Administration** gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the Department of Transportation under the **FMCSA Program**. This ASSURANCE is binding on [insert State], other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the **FMCSA Program**. The person (s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

**Maryland Department of Transportation – Motor Vehicle Administration**

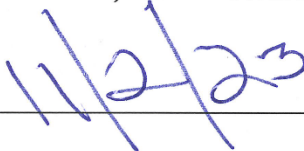
*(Name of Recipient)*

by



**Christine Nizer, Administrator, MVA**

DATED



## APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “contractor”) agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Motor Carrier Safety Administration (FMCSA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations as set forth in Appendix E, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 C.F.R. part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor’s obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the FMCSA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the FMCSA, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor’s noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the FMCSA may determine to be appropriate, including, but not limited to:
  - a. withholding payments to the contractor under the contract until the contractor complies; and/or
  - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the FMCSA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

## CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

### APPENDIX B

The following clauses will be include/ed in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

**NOW, THEREFORE**, the Department of Transportation as authorized by law and upon the condition that the **Maryland Department of Transportation – Motor Vehicle Administration** will accept title to the lands and maintain the project constructed thereon in accordance with (*Name of Appropriate Legislative Authority*), the Regulations for the Administration of **Federal Motor Carrier Safety Administration (FMCSA) Program**, and the policies and procedures prescribed by the **FMCSA** of the Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, Department of Transportation, subtitle A, Office of the Secretary, part 21, Non-discrimination in Federally-assisted programs of the Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the **Maryland Department of Transportation – Motor Vehicle Administration** all the right, title and interest of the Department of Transportation in and to said lands described in Exhibit “A” attached hereto and made a part hereof.

### (HABENDUM CLAUSE)

**TO HAVE AND TO HOLD** said lands and interests therein unto the **Maryland Department of Transportation – Motor Vehicle Administration** and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the **Maryland Department of Transportation – Motor Vehicle Administration**, its successors and assigns.

The **Maryland Department of Transportation – Motor Vehicle Administration**, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]\* (2) that the **Maryland Department of Transportation – Motor Vehicle Administration** will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, subtitle A, Office of the Secretary, part 21, Non-discrimination in Federally-assisted programs of the Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and

vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.\*

(\*Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to effectuate the purpose of Title VI.)

## CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY, OR PROGRAM

### APPENDIX C

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the **Maryland Department of Transportation – Motor Vehicle Administration** pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add “as a covenant running with the land”] that:
  1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, **Maryland Department of Transportation – Motor Vehicle Administration** will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued. \*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the **Maryland Department of Transportation – Motor Vehicle Administration** will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the **Maryland Department of Transportation – Motor Vehicle Administration** and its assigns. \*

(\*Reverted clause and related language to be used only when it is determined that such a clause is necessary to effectuate the purpose of Title VI.

**CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED  
UNDER THE ACTIVITY, FACILITY, OR PROGRAM**

**APPENDIX D**

The following clauses will be included in deeds, licenses, permits, or similar instruments/ agreements entered by **Maryland Department of Transportation – Motor Vehicle Administration** pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, “as a covenant running with the land”) that (1) no person on the ground of race, color, national origin, sex, age, disability, income-level, or LEP will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, national origin, sex, age, disability, income-level, or LEP will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, **Maryland Department of Transportation – Motor Vehicle Administration** will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued. \*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, **Maryland Department of Transportation – Motor Vehicle Administration** will there upon revert to and vest in and become the absolute property of the **Maryland Department of Transportation – Motor Vehicle Administration** and its assigns. \*

(\*Reverted clause and related language to be used only when it is determined that such a clause is necessary to effectuate the purpose of Title VI.)

**APPENDIX E**



During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “contractor”) agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

- Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. § 2000d *et seq.*), (prohibits discrimination on the basis of race, color, national origin), as implemented by 49 C.F.R. § 21.1 *et seq.* and 49 C.F.R. part 303;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601) (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973 (23 U.S.C. § 324 *et seq.*) (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794 *et seq.*) (prohibits discrimination on the basis of disability); and 49 C.F.R. part 27;
- The Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101 *et seq.*) (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982 (Pub. L. 97-248 (1982)), as amended (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987 (102 Stat. 28) (“...which restore[d] the broad scope of coverage and to clarify the application of title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and title VI of the Civil Rights Act of 1964.”);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 -- 12189), as implemented by Department of Justice regulations at 28 C.F.R. parts 35 and 36, and Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. § 1681 *et seq.*).

## MDOT MVA OFFICE OF CIVIL RIGHTS AND FAIR PRACTICES

### Overview

The MVA Office of Civil Rights and Fair Practices (OCRFP) consists of a total of five (5) employees that operate within the Civil Rights Unit and are located in the MVA headquarters in Glen Burnie, Maryland; of the five (6) positions, one (1) Director, one (1) Equal Employment Opportunity Program Manager (Title VI Program Manager, LEP Program Manager), one (1) Equal Employment Opportunity Officer II (ADA Coordinator), one (1) Equal Employment Opportunity Officer Trainee, one (1) Equal Employment Opportunity Coordinator, one (1) Customer Accessibility Coordinator.

The Office of Civil Rights and Fair Practices' mission supports the Motor Vehicle Administration's mission statement and reflects OCRFP's commitment to the philosophy of the Civil Rights program. The OCRFP's Mission Statement and Vision reads:

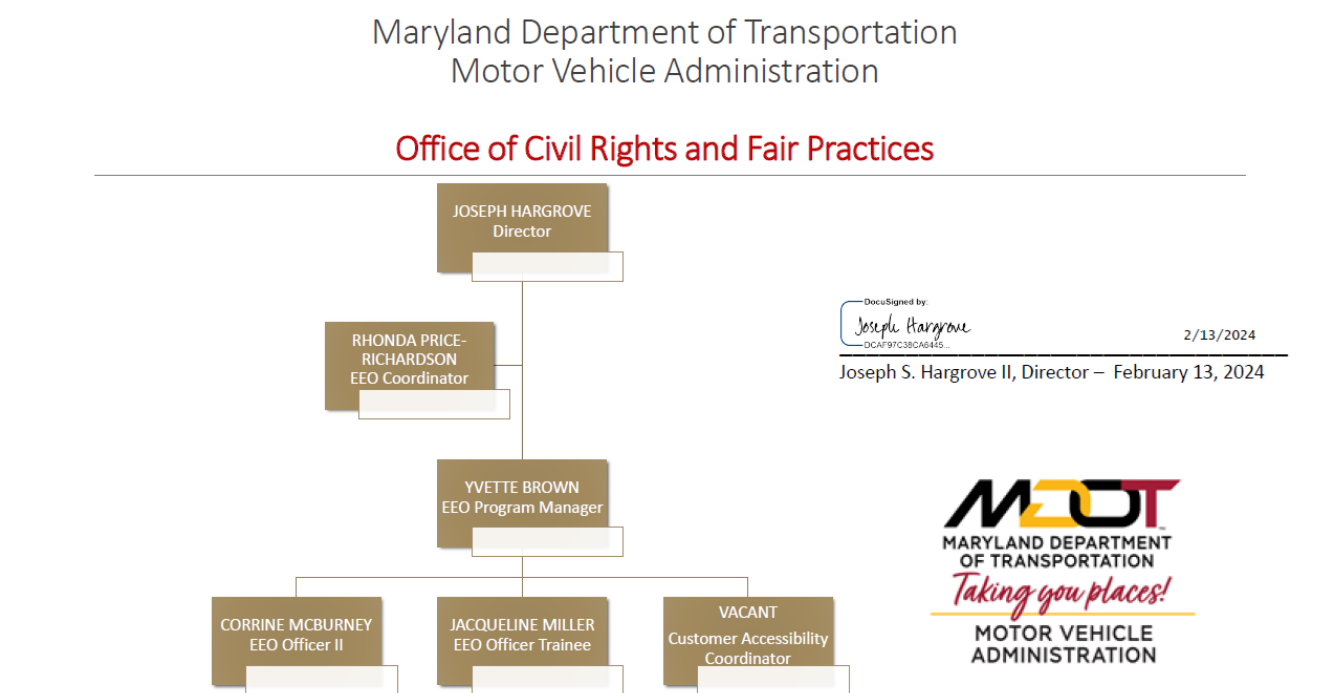
### Mission Statement:

*"The mission of the Motor Vehicle Administration's Office of Civil Rights and Fair Practices is to foster a fair, equitable, and inclusive work environment for all employees as well as ensure prompt, courteous, and efficient service to all customers regardless of race, color, age, religion, gender, nationality, sexual orientation or disability."*

### Vision:

*"To ensure the Motor Vehicle Administration is an organization that is free of discrimination in all program areas and promotes equity and equality in our everyday business practices."*

## MDOT MVA Office of Civil Rights and Fair Practices Organizational Chart



## **Office of Civil Rights and Fair Practices & Equal Employment Opportunity Functions**

- Provide guidance and counseling advice to Administrator, executive team, managers, supervisors, and staff on EEO issues
- Develop agency Affirmative Action Plan
- Counsel, mentor, and train employees on EEO, ADA, Sexual Harassment, and conflict resolution
- Investigate, provide recommendations, and resolve EEO Complaints
- Review and approve all Human Resources Recruitment Documentation
- Represent MDOT MVA in all EEO Mediations
- Serve as ADA Coordinator, including reviewing reasonable accommodations requests, counseling employees, and reviewing/approving requests for reasonable accommodations
- Develop and implement EEO policies and procedures
- Act as Agency Coordinator for LEP Program (Limited English Proficiency)
- Manage Internal/External Title VI Program and VII Complaint Investigation process
- Participate in Monthly EEO Liaison and Advisory Council Meetings at MDOT
- Develop and implement annual EEO and Title VI Program Reports
- Participate in Administrator's Legislative Meetings
- Work closely with Union Representatives and Minority Business Enterprise (MBE) Procurement Review Groups
- Update information on the EEO Intranet site and prepare/distribute EEO literature and posters to all MDOT MVA branches and departments
- Conduct monthly New Hire Orientation for the Office of Civil Rights and Fair Practices
- Diversity Posting – research and prepare diversity-related educational/informative material for electronic distribution
- Provide outreach, support, and accommodations to constituents to ensure equal access to all MVA services

## **Office of Civil Rights and Fair Practices & Title VI Program Responsibilities**

Under the authority of the MVA Administrator, the Director of the Office of Civil Rights and Fair Practices is responsible for ensuring the implementation and monitoring of the Agency's Title VI Program. The Director shall exercise all powers delegated by the Administrator, including, but not limited to the receipt, acknowledgment, investigation, review, final disposition, and reporting of Title VI Program complaints.

The Title VI Program Manager, under the supervision of the Director, is responsible for coordinating the day-to-day and overall administration of the Title VI Program and ensuring that all MDOT MVA Divisions are following Title VI Program requirements.

## **Responsibilities of the Title VI Program Manager**

- Ensure MVA compliance with Title VI Program regulations in day-to-day administration and annual reporting
- Review important Title VI Program related issues with the Director of the Office of Civil Rights and Fair Practices
- Conduct training on the Title VI Program and associated statutes for MVA employees, contractors, grantees, sub-recipients, and the general public
- Record and investigate Title VI Program complaints and propose ways to eliminate discrimination
- Incorporate corrective actions required, in the event any deficiencies are noted during a Federal Oversight Agency audit
- Collect and maintain information and statistical data on complaints required for general reporting. Statistical data to include race, color, sex, and national origin
- Develop Title VI Program information for dissemination to the internal and external customers via MVA's website and brochures, and where appropriate in languages other than English
- Meet quarterly with Title VI Program Liaisons to discuss progress, implementation, and compliance issues.
- Submit data and documents to the OCRFP Director for the Annual Title VI Program Plan.

In addition, OCRFP will be responsible for the following Title VI Program elements while implementing and maintaining the Title VI Program at the MVA:

- **Data collection** - Statistical data on race, color, national origin, language spoken, and sex of MVA employees and complainants.
- **Annual review of Title VI Program** - In preparation for the Annual Report and Title VI Program update, review MVA's operational guidelines and publications, including those for contractors, to ensure that Title VI language and provisions are incorporated, as appropriate.
- **Annual Report and Title VI Program Update** - The document will include Title VI Program activities and efforts, accomplishments, relevant program changes, and updated Title VI Program goals and objectives for the coming year to the MVA's Title VI Program.
- **Dissemination of information related to the Title VI Program** - Information on the agency's Title VI Program is to be disseminated to agency employees, contractors, and beneficiaries, as well as to the public, and when needed, in other languages.
- **Resolution of complaints** - Make a concerted effort to resolve complaints from any individual that believes they or any other program beneficiaries have been subjected to

unequal treatment or discrimination, in their receipt of benefits/services or on the grounds of race, color, national origin, sex, age, income status or disability.

## MVA's TITLE VI PROGRAM PROCEDURES, PLANS AND GOALS

### Title VI Program and LEP Authorities

**Title VI of the 1964 Civil Rights Act** provides that no person in the United States shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any programs or activity receiving federal financial assistance (please refer to 23 CFR 200.9 and 49 CFR 21).

**Civil Rights Restoration Act of 1987** broadened the scope of Title VI coverage by expanding the definition of the terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors, whether such programs and activities are federally assisted or not (Public Law 100259 [S. 557] March 22, 1988).

**Environmental Justice (EJ) (Executive Order 12898)** addresses disproportionate adverse environmental, social, and economic impacts that may exist in communities, specifically minority and low-income populations.

**Limited English Proficiency (LEP) (Executive Order 13166)** addresses access to services for persons whose primary language is not English and who have limited ability to read, write, speak, or understand English.

**Federal Case Authority (LEP)** The Supreme Court, in *Lau v. Nichols*, 414 U.S. 563 (1974), interpreted regulations promulgated by the former Department of Health, Education, and Welfare, including a regulation like that of DOJ, 45 CFR 80.3(b)(2), to hold that Title VI prohibits conduct that has a disproportionate effect on LEP persons because such conduct constitutes national origin discrimination. In *Lau*, a San Francisco school district that has a significant number of non-English-speaking students of Chinese origin was required to take reasonable steps to provide them with a meaningful opportunity to participate in federally funded educational programs.

**The Maryland Equal Access to Public Services Act of 2002** Chapter 141 of Act 2002 requires State agencies to take reasonable steps to provide equal access to public services for LEP individuals. Under State law, State agencies are required to translate “vital documents” into the language spoken by LEP populations that constitute *3 percent of the overall population* within the geographic area served by a local office. It also requires State agencies to provide LEP individuals with “oral language services.” “Vital documents” are defined as informational materials, brochures, posters, applications for benefits, licenses, and other services, client notice of action, and other documents that each department deems necessary.

**August 2000 DOJ Guidance** - The Department of Justice (DOJ), at the time the EO was published, also issued a guidance document for agencies to follow in designing their own LEP guidance for recipients, and in creating plans for making Federal activities and programs meaningfully accessible.

The guidance clarified long-standing LEP responsibilities under Title VI and the Title VI regulations, including disparate impact regulations and a 1976 DOJ regulation requiring translation of documents in certain circumstances.

**The 1970 Uniform Act (42 U.S.C. 4601)** prohibits unfair and inequitable treatment of persons displaced or whose property will be acquired as a result of Federal financially assisted programs or activities.

**Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 790)** prohibits discrimination based on a handicap/disability.

**The Federal Aid Highway Act of 1973 (23 U.S.C. 324)** prohibits discrimination based on gender.

**The Age Discrimination Act of 1975 (42 U.S.C. 6101)** prohibits discrimination based on age.

***Additional Title VI Authorities and Citations Include:***

Title VI of the Civil Rights Act of 1964, 42 United States Code 2000d to 2000-4; 42 United States Code 4601 to 4655; 23 United States Code 109(h); 23 United States Code 324; Department of Transportation Order 1050.2; Executive Order 12250; Executive Order 12898; 28 Code of Federal Regulations 50.3 (see also, Authorities and Citations Handbook for additional information.)



## Description of Federal Aid Programs

Proposed Award Amount	Project Name	Grant Source	Purpose of Grant
\$5,692,502.06	402 - State and Community Highway Safety	NHTSA	Funding will be provided for officer overtime for enforcement patrols. Funds can be used to implement year-round enforcement and DRE Callouts. In addition to officer overtime, funds may be used for training and equipment if a need is demonstrated, and funds are available. Educational materials may be available through the MHSO.
\$729,508.41	405b – National Priority Safety Programs	NHTSA	Funding will be provided to projects that are evaluated to best increase seat belt use and promote the proper use of child safety seats. These projects include enforcement activities to increase seatbelt use. Operations must be data driven and target locations based on crash and citation data. Funding will be provided for training, and equipment if a need is demonstrated and funds are available. Funding is also available for Public Information and Educational programs. Educational materials may be available through the MHSO.
\$826,005.04	405c – National Priority Safety Programs	NHTSA	Funding will be used for traffic records incentive grants to improve traffic record systems and Crash data collation.
\$2,913,609.20	405d – National Priority Safety Programs	NHTSA	Funding will be provided to projects that target high crash locations and corridors with high incidence of DUI related crashes and arrests. Evidence-based enforcement operations include saturation patrols (consisting of two or more officers patrolling high-crash areas during peak times), sobriety checkpoints, and/or channelization's during Maryland high visibility enforcement waves. Funds will be available for officer overtime, training, and equipment if a need is demonstrated, and funds are available. Funding is also available for Public Information and Educational programs. Educational materials may be available through the MHSO.

\$479,293.27	405e - Distracted Driving Grants	NHTSA	Funding will be provided to projects that include distracted driving awareness as part of the drivers' license examination and to enact and enforce a statute prohibiting distracted driving. Funds will be used to educate the public through advertising that contains information about the dangers of texting or using a cell phone while driving, for traffic signs that notify drivers about the distracted driving law of the state or for law enforcement costs related to the enforcement of the distracted driving law.
\$89,748.56	405f – National Priority Safety Programs	NHTSA	Funding will be used to adopt and implement effective programs to reduce the number of single vehicle and multiple vehicles crashed involving motorcyclists. Funds are to be used for motorcyclist safety training and motorcyclist awareness programs. Public awareness, public Service announcement and outreach programs to enhance driver awareness of motorcyclists.
\$487,456.38	405g - Nonmotorized Safety Grants	NHTSA	Funds will be used for decreasing nonmotorized road user fatalities involving a motor vehicle in transit on a trafficway. Training of law enforcement officials relating to nonmotorized road user safety, program to support enforcement mobilizations and campaigns designed to enforce state traffic laws, public education and awareness programs designed to inform motorists and nonmotorized road users. safety equipment (lighting, conspicuity equipment, mirrors, helmets and protective equipment.
\$126,253.65	405h - Preventing Roadside Deaths	NHTSA	Funding will be provided for agencies to adopt and implement effective programs to prevent death and injury from crashes involving motor vehicles striking other vehicles and individuals stopped at the roadside. To purchase and deploy digital alert technology, educate the public regarding the safety of vehicles and individuals stopped at the Roadside. Public information campaigns for the purpose of reducing roadside deaths and injuries.

\$251,076.63	405i - Driver and Officer Safety Education	NHTSA	Funding will be provided for agencies to enact and enforce a law or adopt and implement programs that include certain information of law enforcement practices during traffic stops in driver education and training courses or peace officer training programs. The production of educational materials and training of staff for driver education and driving safety courses and officer training.
\$575,000.00	1906 - Racial Profiling Data Collection	NHTSA	Funding will be provided to agencies to encourage them to maintain and allow public inspection of statistical information on the race and ethnicity of the driver for all motor vehicle stops made on all public roads. Funds will be for evaluating the result of the data and to develop and implement programs, public outreach and training to reduce the impact of traffic stops.
\$247,280	(FY19 CDL) CDLPI Records Correction	FMCSA	The purpose of this project is to assist the Maryland DOT Motor Vehicle Administration in its goal to achieve/sustain full compliance with the requirements of 49 Code of Federal Regulations (CFR) Parts 383 and 384. In support of this effort, funding is recommended for temporary staff to process CDL records and correct them as necessary, and for providing half-day training sessions for state judges.
\$728,870	(FY20 CDL) CDL Records Correction and Judge Conference	FMCSA	The grant funding will support the following activities: <ol style="list-style-type: none"> <li>1. Hiring five temporary MDOT MVA employees to support the receipt, issuance, revision processing, review and correction of CDL records including the resolution of hard stops, branch/customer support for CDL information, processes related to Medical Certification, working CD31 and AAMVA reports, and State Pointer Exchange Services (SPEXs) processes that related to CDLs only.</li> </ol>

			<p>2. Two processes within the MDOT MVA will be automated, respectively, to automatically perform pointer maintenance and to hard stop a counter transaction until the customer's variance information is updated.</p> <p>Working with the National Judicial College and staff from FMCSA, MDOT MVA will present two, half-day programs for Administrative Law Judges and for District Court Judges to review and reinforce judicial options in court cases which involve CDL holders and emphasize the necessity for country of licensing information.</p>
\$102,126	(FY21 CDL) CDL Records Correction	FMCSA	<p>The purpose of this project is to assist MDOT MVA to maximize safety and security for commercial drivers and others, Through the FY2021 Grant, human capital resources will be used to promptly and accurately process, review, and correct CDL records. Thus, enhancing data management and data quality by increasing agency capacity.</p>
\$844,005	(FY22 CDL) Reducing CDL skills testing delays and wait times and develop a CLP/CDL web- based practice test	FMCSA	<p>The grant funding will support the following activities:</p> <p>To reduce CDL skills testing delays and wait times by training more Drivers Licensing Agents (DLA) and hiring an additional DLA per full-service branch.</p> <p>Develop an online practice test for CDL applicants similar to the current non-commercial online practice test.</p>
\$439,500	(FY23 CDL) CDL Skills Test Improvements, Outreach, and Program Enhancements	FMCSA	<p>The grant funding will support the following activities:</p> <ol style="list-style-type: none"> <li>1. Improvement of Four (4) CDL Skills Test Courses including Modification to add additional CDL Courses, adding gates to provide additional safety for the CDL courses, line stripping, and light pole removals.</li> <li>2. Provide more information about commercial driving opportunities by</li> </ol>

			<p>having more CDL Outreach Days throughout the year.</p> <p>3. Benefiting the national CDL Program by developing and testing tools for the Exclusive Electronic Exchange (EEE) and the Drug and Alcohol Clearing House (DACH).</p> <p>Procuring 30 tablets that are used by Employer Testing Program (ETP) participants. These tablets are used solely for ETP testing for Personal Identifiable Information and other testing security.</p>
\$256,966	(FY24 CDL) Reducing CDL skills testing delays and wait times and decreasing the shortage of commercial drivers	FMCSA	<p>The grant funding will support the following activities:</p> <p>To reduce CDL skills testing delays and wait times by training more DLAs.</p> <p>Third-party translator to complete the translation of AAMVA's Commercial Driver's Manual and the commercial knowledge tests. Maryland's third-party knowledge test vendor will verify the translation and deploy them into the system. MVA staff will also review, approve, and complete UAT of the translation and deployment.</p>

**Notes:**

FMCSA = Federal Motor Carrier Safety Administration

CDL = Commercial Driver License

AAMVA= American Association of Motor Vehicle Administrators

NMVTIS= National Motor Vehicle Title Information System

---

## **Monitoring Procedures**

It is the responsibility of the Title VI Program Manager to develop and implement monitoring procedures within the Administration's program areas, and their contractors/consultants to monitor Title VI Program activities.

MVA OCRFP will create an annual review form to send to program areas and contractors/consultants by the Title VI Program Manager to ensure effectiveness in their compliance with Title VI Program provisions. The Appointing Authority of the program area or agency will coordinate efforts to ensure equal participation in all programs and activities at all levels. The review will entail an examination of the recipients' adherence to all program requirements.

The Title VI Program Manager will conduct an on-site review of the agency's program areas on an annual basis.

## **Subrecipient Compliance**

The MVA identifies its subrecipients through its internal Office of Financial Services, Office of Policy & Innovation, and its Procurement and Contracts Department. To ensure any identified subrecipients understand the Title VI program responsibilities, the MVA will first provide Title VI program training, to its subrecipients. Subsequently, the MVA will monitor the implementation of the plan by conducting compliance reviews (in a time frame to be determined) utilizing a Title VI Program questionnaire for subrecipients to complete. The questionnaire will focus on the following:

- A Title VI Program Plan including a signed assurance that the sub-recipient will comply and enforce the program according to Title VI Program regulations
- Subrecipient notice to the public
- The name of the Title VI Program Coordinator / Responsible Party
- Subrecipient instructions to the public regarding how to file a Title VI Program discrimination complaint
- Disclosure of any investigations, complaints, legal action outcomes of such activity
- A public participation plan, including outreach or efforts toward minorities and LEP populations

**The MVA does not currently disperse FMCSA funds to any subrecipient.**

## **Title VI Program Training**

The MVA Office of Civil Rights and Fair Practices along with our internal Organizational Development Department has created an online Title VI training curriculum. The training was revised in June 2024. All employees will train within the first 90 days of employment and complete refresher training bi-annually. Compliance is monitored through the Cornerstone Learning Management System.



---

### **Access to Records**

The MVA shall make available any records, responses to questionnaires, and other documents pertaining to the effective implementation of the Title VI Program requirements to FMCSA and other Federal Funding Sources, upon request.

### **Status of Corrective Actions**

The MVA will ensure compliance with all requirements of the Title VI Program. Upon verification, the MDOT MVA will take immediate action to correct any deficiencies which render the agency and/or its subrecipients non-compliant. The MVA does not have any current deficiencies that have been identified.

### **Commercial Motor Vehicle Inspection Selection Policy**

This section does not apply to the MVA.

### **Unbiased Enforcement Policy**

This section does not apply to the MVA.

### **Title VI Program Complaint Disposition Process**

The following procedures are intended to describe the responsibilities of MVA herein referred to as the recipient with respect to the enforcement, filing, processing, investigating, and resolution of complaints of discrimination filed against MDOT MVA or any of its sub-recipients, in violation of Title VI of the Civil Rights Act of 1964 and related nondiscrimination authorities. The procedures provide a system for prompt, fair, and impartial processing and investigating complaints of discrimination. Prompt, fair, and impartial considerations of the allegations under due process of law.

These procedures cover the rights of individuals to file complaints under the following acts (which include but are not limited to): Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Civil Rights Restoration Act of 1987, the Americans with Disabilities Act (ADA) of 1990, the Americans with Disabilities Amendments Act (ADAA) of 2008, Executive Order 12898 Environmental Justice, and Executive Order 13166 Limited English Proficiency (LEP).

The MVA encourages parties to work together to find a means of compromise that will allow an informal settlement agreement to the issues alleged by the complainant(s). In doing so, complainants may wish to interact directly with the respondent, or an MVA official, in an attempt to resolve the issues informally. The MVA will make every effort, in the best interest of all parties involved in a complaint, to resolve the issues at the lowest possible level. However, if an informal agreement cannot be reached, the complainant(s) are not denied or limited in their right to file a formal complaint with an outside enforcement agency or seek legal counsel.

---

## **Roles & Responsibilities**

- The Office of Civil Rights and Fair Practices Director and Title VI Program Manager, have overall responsibility for the Title VI Program discrimination complaint process.
- The Office of Civil Rights and Fair Practices Director and Title VI Program Manager, serve as points of contact statewide for the public to initiate complaints of discrimination.
- The Office of Civil Rights and Fair Practices is responsible for conducting an impartial and objective investigation, collecting factual information, and preparing a fact-finding report based upon the information obtained from the investigation.

In cases where the complainant is unable or incapable of providing a written statement, the complainant will be assisted in converting the verbal complaint into a written complaint. All complaints, however, must be signed by the complainant.

## **Who Can File a Complaint**

Any person who believes that he/she individually, as a member of any specific class of persons, or in connection with any minority groups or associations and believes that they have been excluded from, denied the privilege and/or benefits of participating in any program, service, or activity sponsored by the MVA or any of its units, divisions, and departments or any of its sub-recipients represented by (contractors, consultants, local governmental agencies, municipalities, counties, townships or enterprises) with whom the MVA has extended federal financial assistance may individually or by a representative file a formal complaint of discrimination. This applies to the MVA services, programs, or activities whether federally funded or not.

## **What the Complaint Must Contain**

A formal Title VI Program complaint should be filed on the MVA Title VI Program Complaint Form. This form is available at any MVA location by request and also available online at the MVA website. The complaint must contain the following information:

- The name and mailing address of the person filing the complaint
- Contact information (telephone number, email, P.O. Box, etc.)
- If you have a representative, you will also need to provide your representative's name, address, and telephone number
- The name of the MVA division or office you believe discriminated against you or the basis of the complaint (what the complaint is about). You may give more than one basis if applicable
- A specific description of the issues of the discrimination complaint, including the dates of the alleged discriminatory act
- Corrective action requested and remedy sought

## **Complaint Reporting**

If the complainant elects to file a formal complaint with the MVA, it must be submitted in writing, signed, dated, and initiated within 180 days of the alleged discriminatory act (or latest occurrence). The complainant is strongly encouraged to bring any incidents of discrimination to the attention of the MVA as soon as possible after any such alleged conduct occurs. The MVA

maintains a Title VI Program Complaint Log available to the FMCSA upon request. Appendix C is a sample of the complaint log.

### **Where to File the Complaint**

All allegations, regardless of where they are reported, shall be immediately forwarded to OCRFP or the appropriate authority. Any complaint relating to the Americans with Disabilities Act (ADA) should be forwarded to the MVA ADA Coordinator for review and processing.

Complaints alleging violations of the Title VI Program filed against The Motor Vehicle Administration, recipient, sub-recipient (s), and/or contractor(s) (*i.e., local agency, contractor, consultant, etc.*) with whom the MVA conducts business or participates with, should be filed in writing directly with the following the MVA office at:

#### **Motor Vehicle Administration**

Office of Civil Rights and Fair Practices  
Attention: Title VI Program Manager/ OCRFP Director  
6601 Ritchie Highway, NE  
Glen Burnie, Maryland 21062  
[ocrfp@mdot.maryland.gov](mailto:ocrfp@mdot.maryland.gov)  
Phone: 410-768-7610

OR

#### **Maryland Department of Transportation**

Office of Diversity and Equity  
7201 Corporate Center Drive  
P.O. Box 548  
Hanover, Maryland 21076  
Toll Free: 1-888-713-1414/TTY 1-800-735-2258

A person may also file a complaint in writing directly with the following **EXTERNAL** agencies:

#### **Federal Motor Carrier Safety Administration**

Office of Civil Rights – Room W65-312  
United States Department of Transportation  
1200 New Jersey Avenue SE  
Washington, DC 20590

OR

#### **U.S. Department of Justice (DOJ)**

950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001  
Phone: 202-514-4609/TTY: 202-514-0716

*NOTE: Information regarding the Title VI Program complaint process will be made available to the general public via MVA website, [www.mva.maryland.gov](http://www.mva.maryland.gov).*

### **Investigation Process and Timeframes**

All allegations of discrimination will be and investigated in a timely manner. Confidentiality will be maintained to the greatest extent possible.

All complaints alleging violation of the Title VI Program must be filed with any of the above agencies identified in the **“Where to File the Complaint”** section within 180 days after the last known date of the alleged discrimination occurred or where there has been a continuing course of alleged discriminatory conduct, the last known date on which that conduct was discontinued.

Within **5 working days** after receiving the complaint, the MVA Title VI Program Manager or another qualified OCRFP designee, will send a letter acknowledging **INTERNALLY** filed complaints to the complainant or their representative and for **EXTERNALLY** filed complaints, to the respective agency notifying them that MVA has received their complaint and is looking into their concerns.

Within **10 working days** after receiving the complaint, the MVA Title VI Program Manager or another qualified OCRFP designee, will forward a copy of the complaint to the MVA office where the alleged discriminatory behavior occurred.

Within **60 days** after receiving notification of the complaint, the MVA Title VI Program Manager or another qualified OCRFP designee, following an investigative plan, will gather all relevant information in a fair and impartial manner and will conduct an investigation into the complaint. All complaints filed by local agencies will be investigated promptly and conducted in a timely, fair, and impartial manner.

A Report of Investigation will be prepared, reflecting the department’s final determination. The complainant, respondent, and appropriate MVA personnel shall receive a letter that includes the nature of the complaint, the remedy sought, and a summary of the investigative findings and activities. If the finding is unfavorable to the complainant, they will be advised of appeal options. If the finding is unfavorable to the respondent, they will also be advised of recommendations for corrective action.

### **Complaint Files**

Investigation files are confidential and will be maintained by MVA OCRFP. The contents of such files will only be disclosed to appropriate MVA, MDOT personnel, and Federal oversight agencies upon request and to others in accordance with Federal and State laws. The MVA will retain files in accordance with records retention schedules and all federal guidelines.



## TITLE VI COMPLAINT FORM

<b>Section I</b>				
Name:				
Address:				
Telephone (Home)			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
<b>Section II</b>				
Are you filing this complaint on your own behalf?			Yes* <input type="checkbox"/>	No <input type="checkbox"/>
*If you answered "Yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining:				
Please explain why you have filed for a third party: _____				
Please confirm that you have the permission of the aggrieved party if you are filing on behalf of a third party.			Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>Section III</b>				
I believe the discrimination I experienced was based on (check all that apply): <input type="checkbox"/> LEP				
<input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> Sex <input type="checkbox"/> Age <input type="checkbox"/> Disability <input type="checkbox"/> Low Income				
Date of the Alleged Discrimination (Month, Day, Year): _____				
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.				



## TITLE VI COMPLAINT FORM – page 2

<b>Section IV</b>	
Have you previously filed a Title VI complaint with this agency?	Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Section V</b>	
Have you filed a Title VI complaint with any other Federal, State, or local agency, or with any Federal or State Court?	
<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, check all that apply:	
<input type="checkbox"/> Federal Agency:	<input type="checkbox"/> State Agency:
<input type="checkbox"/> Federal Court:	<input type="checkbox"/> Local Agency:
<input type="checkbox"/> State Court:	
Please provide information about a contact person at the agency or court where the complaint was filed.	
Name:	
Title:	
Agency:	
Address:	
Telephone:	
<b>Section VI</b>	
Name of agency complaint is against:	
Contact person:	
Title:	
Telephone number:	

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below.

Signature \_\_\_\_\_

Date \_\_\_\_\_

Please submit this form in person or by mail to the address below: Maryland Motor Vehicle Administration  
Title VI Program Manager  
Office of Civil Rights and Fair Practices  
6601 Ritchie Highway, N.E., Room 227  
Glen Burnie, Maryland 21062



## MDOT MVA Title VI Complaint Log Sample

### Maryland Motor Vehicle Administration

### Office of Civil Rights and Fair Practices

### Title VI Program Complaint Log

Complainant Name	Demographic Identification <i>(race, color, national origin, etc.)</i>	Allegation	Date of Complaint	Investigation Report Date	Other

### Public Participation Plan

Motor Vehicle Administration, hereinafter MVA conducts motorist licensure and vehicle titling and registration services at 24 Branch offices throughout the state of Maryland. The MVA will evaluate the impact of an increase or decrease in the number of branches or services, and hours of operation available at branch offices. The outcome of this evaluation will determine what level of outreach, if any, is necessary to inform customers of the change and the available alternatives to obtaining MVA services.

If the MVA decreases the number of Branches or services offered, the MVA will determine:

**(1)** the scope of the decrease and **(2)** the availability of services as a result of the decrease. The scope of the decrease will show whether it is local, regional, or state-wide. MVA will determine what alternative access is available, either to other branch offices or other service methods. This analysis will evaluate the severity of the impact of the decrease, ranging from subtle changes to those that are highly burdensome. The MVA level of outreach to customers will align with the severity level of the change. If MVA determines that traditional outreach strategies are insufficient and that customers will be without services, MVA will initiate an intensive outreach effort to notify customers and solicit feedback regarding the impact of the proposed changes. An intensive outreach effort will include:

- **Identify and list stakeholders.** Stakeholders include affected customers, groups that have an interest in the service, and representative community groups. For purposes of the report (see below) the list of stakeholders will include demographic information for affected customers regarding race, color, national origin (including Limited English Proficient individuals), sex, age, disability, and income-level.
- **Publicize changes.** The MVA will use its communications resources to notify customers of the proposed change affecting customers in an accessible and inclusive manner to promote effective public participation. Such communication may include press releases, mailings, MDOT MVA's website, social media, and other forms of communication.
- **Plan and conduct public meetings.** The MVA will determine an effective number of public meetings, an appropriate meeting location and how to notify customers.
- **Review and analyze comments.** After the outreach effort, the MVA will review and analyze the comments received about access to branch offices or services resulting from the proposed change.
- **Written report.** The MVA will prepare a report to capture the results of the comprehensive outreach effort and submit to FMCSA. If the MVA proceeds with the change, we will continue to monitor feedback about the change, re-evaluate as needed, and make appropriate adjustments.

### **Notice to the Public**

The *Title VI Program Policy Statement*, and a *Notice to the Public Your Rights under Title VI of the Civil Rights Act* signed by the MVA Administrator are available at all MVA branches. These statements are posted on the MVA website at [www.mva.maryland.gov](http://www.mva.maryland.gov), however, the MVA is currently revising their website and a new website will go live in July 2024 with the notice and the Title VI Plan, as well as complaint forms, complaint processes and Title VI Representative Information.

MVA will design a brochure containing detailed information regarding customer rights under Title VI of the Civil Rights Act of 1964 and related non-discrimination authorities, and contact information for filing a complaint.



# Notice to the Public

## Your Rights under Title VI of The Civil Rights Act of 1964

The Maryland Department of Transportation Motor Vehicle Administration (MDOT MVA) gives public notice of our policy to uphold and assure full compliance with the non-discrimination requirements of Title VI of the Civil Rights Act of 1964 and related non-discrimination authorities.

The MDOT MVA operates all programs and services without regard to race, color, or national origin. No person shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination. Related nondiscrimination authorities also prohibit discrimination based on sex, age, low income status, disability and Limited English Proficiency. Any person who believes he or she has been aggrieved may file a complaint with the MDOT MVA Office of Civil Rights and Fair Practices.

For more information on the MDOT MVA Civil Rights Program and the procedures to file a complaint, please contact:

**Attention:** Title VI Manager  
**Office:** MDOT MVA Office of Civil Rights and Fair Practices  
**Address:** 6601 Ritchie Highway, N.E., Suite 227  
Glen Burnie, Maryland 21062  
**Phone:** (410) 768-7610  
**Fax:** (410) 760-7369

## Language Access Plan and Limited English Proficiency (LEP)

Limited English Proficiency (LEP) falls under the Title VI Program and is also governed by Executive Order 13166. LEP applies to individuals who do not speak English as their primary language and who have a limited ability to read, write, or understand English, who may be entitled to language assistance for services provided by certain entities.

### Overview of the Language Access Plan

The Motor Vehicle Administration is an agency that provides service to almost every resident of the State. This makes up a very broad and diverse customer base; many of which qualify as LEP individuals. The MVA is fully committed to ensuring LEP individuals, who are seeking any of its services, are provided and/or have access to tools to help assist them with their MVA transaction(s).

The MVA provides a variety of LEP language services. LEP language assistance can be provided internally by bi-lingual MVA employees or by a state-contracted translation company. The MVA makes every effort when staffing branch office locations to determine the communities' LEP needs, based on the population the office serves. MVA offices employ a diverse bi-lingual staff and assign them as needed to offices requiring LEP assistance. In some circumstances, the LEP individual requires an onsite interpreter/translator at an MDOT MVA branch office to provide language services, if an MVA employee is not available or is not fluent in the requested language.

The MVA utilizes the State contract with **Language Line** for interpreter services in our customer contact center and **Language Link** in our Branch Offices and back Office Units. This service is provided to LEP individuals as an Over-the-Phone (OPI) or Video Remote Interpreting (VRI) service at no cost to the customer. In some instances, Language Identification Flashcards are used which allow an individual to visually identify the language. The MVA employee contacts **Language Line** to request interpreter assistance for the LEP individual and an interpreter is provided to assist the customer through the MVA transaction via telephone. Video Remote Interpreting (VRI) is requested through **Language Link** using web-based technology accessing a microphone and webcam to communicate with an interpreter. This service is available for MVA customers during all hours of business and can be requested in real-time or in advance through OCRFP or the MVA Branch Office of their choice. The MVA Customer Contact Center utilizes this service, connecting LEP individuals directly with language assistance over the phone.

Recently, the MVA officially launched a process to provide premier customer service to everyone especially those with special needs. The **Customer Accommodations Process** has been streamlined to ensure that it is fair and consistent for all MVA customers regardless of their capabilities, requested service, or location. To remove barriers for customers and ensure that they have support for a variety of access needs, MVA customers and employees now have a central point of contact, the Office of Civil Rights and Fair Practices (OCRFP). To facilitate special customer accommodations, OCRFP receives the requests through myMVA accounts or emails.

The first step to accessing all MVA Services is to create an [myMVA Profile](#). After you have successfully created a myMVA Profile use [Contact MVA](#) to reach OCRFP. Select the drop-down

that says, “***Accommodations for Customers with Disabilities – Developmental, Physical, Learning***”, and submit your request, and an employee will contact you to set up your accommodations before visiting an MVA Branch Office. Customers can reach out to the MVA Office of Civil Rights and Fair Practices via email at [ocrfp@mdot.maryland.gov](mailto:ocrfp@mdot.maryland.gov) for additional questions or support. Contact our Customer Contact Center at (410) 768-7000 or 1(800) 950-1682 for additional information.

Customers have the option to request an interpreter through the MVA’s Interpreter/Translator Program managed by the Office of Civil Rights and Fair Practices in partnership with the MVA’s Driver Services Division. The MVA’s Driver Services Division maintains a listing of approved interpreters/ translators that offer a wide variety of language services for applicants. OCRFP uses this list to support MVA LEP customers obtaining access to onsite interpreters as requested. MVA covers any cost associated with Language Services for LEP Customers.

The MVA utilizes the State contract with Schreiber Translations, Inc. for MVA document/form translation services. Examples of materials/information that have been translated into Spanish include but are not limited to, the MD Driver’s Manual, MVA’s On-line Document Guide, MVA’s Website & KIOSKs, Certification of Resident Status to Obtain a Leaner’s Permit or Identification Card, etc.

Language Link, Language Line, and Schreiber Translations, Inc. provide MVA with usage data for their services, specifying which language was requested and the type of service. If data outside the scope of the company’s billing report is necessary the MVA can request a more detailed usage report. This detailed LEP service data assists the MVA in identifying and planning services for these growing LEP communities in the future.

Language Link, a BIG Language Solutions company, provides the MVA with 24/7 access to a full suite of translation, interpretation, and localization solutions. In 2023 MVA begin to implement these services in all service locations, headquarters, and back-office operations. The service includes Interactive Voice Response, Over-the-Phone Interpretation, Video Remote Interpretation, and Document Translations. Full implementation will continue through 2024.

MVA’s foreign written and audio knowledge tests on behalf of Idemia, the MVA’s approved vendor for its Law Test System.

---

## **Four Factor Analysis**

In an effort to ensure that its services continue to meet the ever-changing LEP population, the MVA often utilizes one or more criteria of the Four Factor Analysis to help determine future enhancements. According to the four-pronged analysis provided by the U.S. Department of Transportation (DOT), MVA will assess its LEP accommodation in programs identified by MVA and FMCSA. the MVA has substantial contact with Maryland residents and other members of the public conducting vehicle transactions and testing for licensure, increasing the possibility for discrimination or a disparate impact based on persons' inability to communicate in English. DOT has issued guidance for developing a plan regarding LEP compliance, which notes that grant recipients must take "reasonable steps to ensure meaningful access to their programs and activities by LEP persons." 70 FR 74087, 74091. A reasonable approach balances the following four factors:

- Number or proportion of LEP persons affected;
- Frequency with which LEP persons are affected;
- Nature and importance to people's lives; and
- Resources and costs.

## **Premier Customer Service, Accessibility, and System Upgrades**

The Motor Vehicle Administration upgraded its systems in 2021 to better serve its customers and to ensure all sensitive information and documents are captured and fully safeguarded. Using the agency's Customer Connect modernization, customers can establish a *my MVA* account and access their driver and vehicle information in real-time, as well as complete an array of services. The customers are also offered online tutorials to help them embrace the new technology and use MVA services more efficiently.

- **Top Services:** The most frequent services conducted via *myMVA* include change of address requests, vehicle registration renewals and driver's license and identification card replacements.
- **Saved Trips:** Customers saved more than 950,000 trips to an MVA branch office by using their *myMVA* account to accomplish transactions. Those customers helped themselves and others – by conducting business online, they helped the agency serve customers who require a branch visit more quickly and efficiently. The Motor Vehicle Administration serves 85% of customers visiting its branches within 15 minutes of their check-in.
- **Accessibility for All:** Nearly 70% of *myMVA* users are between the ages of 25 and 59. However, customers of all ages have enrolled in *myMVA*, including about 80 centenarians.

In addition to driver and vehicle information, *myMVA* allows customers to review their REAL ID status, view copies of any correspondence the agency has sent, check vehicle emissions inspection program deadlines and complete more than 60 transactions online including:

- |  |  |
|--|--|
| • Driver's License Renewals,                     | • Title Replacements,                      |
| • Identification Card Renewals,                  | • Disability Products,                     |
| • Vehicle Registration Renewals,                 | • Change of Address,                       |
| • Temporary Registrations,                       | • Driving Records,                         |
| • Vehicle Title and Registration Applications,   | • Information on Administrative Flag Fees, |
| • Duplicate/Additional Registration Cards,       | • VEIP Test Date Extensions and            |
| • License Plate Purchase/Replacements,           | • Substitute Stickers.                     |
| • Insurance Information and Compliance Payments, |  |

Idemia (Vendor for MVA Law Test System), has modernized the test environment for MVA to include additional languages to include American Sign Language (ASL). This service is provided on demand when requested. The ASL interpreting is completed directly through the PC Device to support an applicant while they complete their test. This service uses audio and video technology.