

The Maryland Department of Transportation State Highway Administration's (MDOT SHA) mission is to deliver safe, sustainable, intelligent and exceptional transportation solutions in order to connect our customers to life's opportunities. One of MDOT SHA's core values is excellence – excellence in our people, our relationships, work and environment – and we strive to reach that through our commitment to diversity and equity. By developing and nurturing diversity, we reap greater rewards of creativity, flexibility and excellence that exists in all of us.

MDOT SHA is dedicated to the mission and to following Title VI of the Civil Rights Act of 1964 and other non-discrimination laws. SHA makes every effort to ensure that no person is excluded from participation in, denied the benefits of, or subject to discrimination in any SHA program or activity on the basis of race, color, or national origin. The SHA will work with subrecipients to develop and execute their Title VI program in a way that is fair and free from discrimination.

What is Title VI?

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of **race, color, or national origin** in programs and activities receiving Federal financial assistance.

Who Must Comply with Title VI?

All programs and operations of entities that receive assistance from the federal government (i.e. recipients), including:

- State agencies
- Local agencies
- Private and nonprofit entities
- Subrecipients.

Laws and Regulations that regulate the Title VI Program

- Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 Stat. 252)
- Executive Orders 13166 and 12898

Limited English Proficiency- EO 13166

Who is a Limited English Proficient Person?

Persons who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English can be limited English proficient, or "LEP". These individuals may be entitled to language assistance with respect to a service, benefit, or encounter as it relates to transportation services.

As a non-English speaking Maryland resident, you are entitled to be provided with language assistance with respect to services, benefits or encounters with the State, any of its sub-recipients, or contractors. Should you need any LEP assistance please contact MDOT SHA's Office of Equal Opportunity.

Environment Justice- Executive Order 12898

Federal guidance requires that all recipients of Federal funds achieve environmental justice by identifying and addressing disproportionately high and adverse human health and environmental effects, including interrelated social and economic effects, of their programs, policies, and activities on population and low-income populations.

What does this mean for you as a Maryland Resident?

As a Maryland resident, if you feel that MDOT-SHA, its subrecipients, contractors or any State agency have in the process of performing their duties caused you adverse health and environmental effects, including but not limited to social and economic effects based on your race, color or national origin, Please contact MDOT SHA's Office of Equal Opportunity at 410-545-0377.

Title VI Compliance:

Title VI compliance is when the Maryland State Highway Administration and subrecipients have effectively implemented all the Title VI requirements or can demonstrate that every effort has been made toward achieving compliance.

What does this mean for you as a Maryland Resident?

This means that as a resident of the State of Maryland, if you feel that MDOT-SHA, any of its subrecipients, or contractors, have discriminated against you due to your race, color or national origin, you can file a Title VI complaint.

Who may file a Title VI Complaint?

Any person who believes they were subjected to discrimination on the basis of race, color, or national origin in the programs and activities of MDOT SHA, any of its subrecipients, or contractors may file a Title VI complaint.

When must one file?

According to U.S. DOT regulations, 49 CFR §21.11(b), a complaint must be filed not later than 180 days after the date of the last instance of alleged discrimination, unless the time for filing is extended by the investigating agency.

What should a complaint look like?

Complaints should be in writing and signed and may be filed by mail, fax, in person, or e-mail. However, the complainant may call the agency and provide the allegations by telephone, and the agency will transcribe the allegations of the complaint as provided over the telephone and send a written complaint to the complainant for correction and signature. A complaint should contain at least the following information:

- A written explanation of what has happened;
- A way to contact the complainant;
- The basis of the complaint (e.g., race, color, national origin);
- The identification of a specific person/people and the respondent (e.g.) agency/organization) alleged to have discriminated;
- Sufficient information to understand the facts that led the complainant to believe that a or some discrimination occurred in a program or activity that receives Federal financial assistance; and
- The date(s) of the alleged discriminatory act(s).
Complaint should indicate if the alleged discrimination is on-going.

What will SHA do with my complaint?

Once a complaint is filed, the Office of Equal Opportunity will determine whether SHA has jurisdiction to investigate the issues raised. If SHA does not have jurisdiction, the complaint will be forwarded to the appropriate agency. If it is determined that SHA has jurisdiction, the allegations will be investigated and an attempt will be made to resolve the violations found. If negotiations to correct violations are unsuccessful, enforcement proceedings may be initiated to achieve compliance.



Definitions:

Adverse Impacts:

Identify social, economic and environmental effects and determine whether the effects are likely to have adverse impacts on the total population and/or minority or low-income populations. Consideration will be given to individual and cumulative effects. Impacts can include noise, water pollution, visual, natural resources, community cohesion, public and private facilities, employment effects, traffic congestion, etc.

Determination of a Disproportionately High and Adverse Effect on Minority or Low-income Populations:

The adverse impact is predominately borne by the minority population and/or low-income population, OR the adverse impact that will be suffered by the minority population and/or low-income population is more severe or greater in magnitude than the adverse impact that will be suffered by the non-minority population and/or non-low-income population.

Low Income:

A person whose median household income is at or below the Department of Health and Human Services poverty guidelines.

Minority:

A person who is:

- (a) Black (a person having origins in any of the black racial groups of Africa);
- (b) Hispanic or Latino (a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race);
- (c) Asian American (a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent);
- (d) American Indian and Alaskan Native (a person having origins in any of the original people of North America, South America, (Central America) and who maintains cultural identification through tribal affiliation or community recognition)
- (e) Native Hawaiian and other Pacific Islander people having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

Mitigation and Enhancement Measures:

Avoid or minimize adverse impacts by reducing the degree or magnitude of the action; repair, rehabilitate, or restore the affected environment or community resource; compensation for adverse impact.

Subrecipient:

Entity to which a subaward is made and which is accountable to the recipient for the use of the funds provided.

Where to File a Complaint:

The Complaint form can be downloaded from:

<https://www.roads.maryland.gov/m/index.aspx?PageId=427>

Maryland State Highway Administration

Office of Equal Opportunity
Attention: Title VI Manager
211 East Madison Street, Mailstop MLL-3
Baltimore, Maryland 21202
Office#: 410-545-0377 or Toll Free: 1-888-545-0098
Email: sizadi@mdot.maryland.gov

U.S. Department of Transportation (U.S. DOT)

Federal Highway Administration (FHWA)
George H. Fallon Federal Building
Attention: Civil Rights Specialist
31 Hopkins Plaza, Suite 1520
Baltimore, Maryland 21201

U.S. Department of Transportation (U.S. DOT)

Federal Highway Administration Headquarters,
Office of Civil Rights
Southeast Federal Center
1200 New Jersey Avenue, SE
HCR-40, Room E81-101
Washington, DC 20590
202-366-0693 or Fax: 202-366-1599
TTY: 202-366-5751

Additionally, complaints filed against subrecipients to SHA may be filed with FHWA or the U.S. Department of Justice at:

U.S. Department of Justice

Civil Rights Division
950 Pennsylvania Avenue, N.W.
Criminal Section, PHB
Washington, DC 20530



CIVIL RIGHTS UNDER TITLE VI

MDOT MARYLAND DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ADMINISTRATION

Larry J. Hogan, Governor
Boyd K. Rutherford, Lt. Governor
Gregory Slater, Secretary of Transportation
Tim Smith, Administrator