DELWARE DEPARTMENT OF TRANSPORTATION
OFFICE OF CIVIL RIGHTS

TITLE VI PROGRAM COMPLIANCE PLAN
FMCSA

Applicable to FMCSA Grants for FFY 2020
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NONDISCRIMINATION POLICY STATEMENT

DelDOT presents the Nondiscrimination Policy Statement endorsed by the Secretary of the Delaware Department of Transportation and shown below to demonstrate its compliance with 49 CRF part 21 and 49 CFR part 303, and its commitment to nondiscrimination and its understanding of responsibilities for the effective implementation of the Title VI Program. Further, DelDOT has signed the Title VI Assurance document, and will ensure that sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees sign an Assurance document as well.

It is the policy of the Delaware Department of Transportation that no person shall on the grounds of race, color, national origin, sex, age, low income and limited English proficiency (LEP) or handicap/disability, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in any program or activity which is administered by the Delaware Department of Transportation, regardless of the funding source.

The Secretary of the Delaware Department of Transportation is ultimately responsible for the effective implementation of the Title VI Nondiscrimination Program. The Secretary will not perform the day to day implementation duties. Those duties are delegated to the Civil Rights Administrator, who has been delegated sufficient authority to carry out her or his duties and responsibilities, which include overseeing a committee of Liaisons from each Program Area. Those Liaisons will perform data collection, data analysis, process reviews and reporting related to DelDOT’s Title VI program.

Date: 01/11/2020
By: Jennifer Cohan, Secretary
Department of Transportation
The United States Department of Transportation

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

The Delaware Department of Transportation (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

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 Delaware Department of Transportation, 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, Delaware Department of Transportation 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.

The Delaware Department of Transportation 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 Delaware, 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.

Jennifer Cohen
(Name of Recipient)
by: [Signature of Authorized Official]

Dated: 11/11/2020
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 canceling, 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.
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).
The Delaware DMV is deeply committed to improving the Commercial Driver License (CDL) program to advance highway safety, security and save lives. DMV’s program is devoted to exceeding federal compliance standards and meeting compliance deadlines. Delaware became a State that supports Real ID and issues federally compliant driver licenses in 2010. In recent years, in addition to implementing the requirements of MCSIA, CDLIS Modernization and the Medical Certification program, the division has gone to great lengths to combat fraud and increase the oversight and monitoring of DMV’s CDL program and processes. Delaware has successfully implemented the integration of CDL test scores with the Motor Vehicle and Licensing System (MVALS), and instituted a platform to electronically score, record and audit CDL skills testing to assist in the deterrence and detection of fraudulent activity.

Delaware’s initiatives for this grant align with the FY2020 CDLPI Grant Program’s National Priority Category #1: Basic CDLPI Grant for projects that update and improve CDL programs, processes and procedures to ensure drivers of large trucks, school buses or vehicles containing hazardous materials meet all of the qualification requirement and possess the knowledge and skills necessary to operate those vehicles safely. DMV’s strategies include the removal of any barriers to compliance and to ensure the continued accuracy, completeness and timeliness of CDL data and to achieve a status of zero open findings in SCORE.

While Delaware has made great progress in achieving these goals, there are still areas that require attention and enhancements for Delaware’s CDL program to remain innovative and forward-thinking.

Delaware’s FY2020 CDLPI Grant opportunity will ensure Delaware’s ability to maintain compliance with 49 CFR Parts 383 and 384, met federal rule making compliance dates and fund implementation of initiatives that support best practices and the resolution of barriers to compliance. DMV’s performance objective is to strengthen the CDL program control and management oversight, support enhancements and upgrades to existing programs. These goals can be accomplished thru the following three (3) objectives:

**Maintenance of Program - Road Scholar Equipment**

The first performance objective is to upgrade and enhance the Delaware DMV’s electronic road exam tablets also known as RST. The system provides Delaware with the ability to electronically score, closely monitor, and track the testing history of all Delaware CDL applicants while supporting the prevention of testing fraud throughout the State. To ensure qualified drivers are eligible to receive and retain a CDL and that each holder has successfully met all testing requirements, the ability to track is a key element.

The correlation between Delaware’s MVALS (Motor Vehicle and Licensing System), the Road Scholar Tablets (RST) and Delaware’s Automated Testing and Retesting System (ARTS, DE’s Knowledge Testing System) platforms allow DMV to maintain an accurate and compete driver history record for anyone who obtains a CLP or CDL as well as the ability to impose appropriate disqualifications against any driver who violates certain serious and/or major violations. Delaware DMV’s goal is to adhere to the concept of one driver, one driving record and one credential.
Delaware’s current RST system was purchased approximately 12 years ago. The tablets are a critical part of DMV’s ability to safeguard an applicant’s data, in the prevention of any fraudulent activity and to ensure accuracy by removing human error with an automated upload of the applicant’s data to the Motor Vehicle and Licensing System (MVALS), DMV’s mainframe. The tablets are heavily relied upon for the administration of skills exams. Due to this extremely heavy usage, Delaware’s primary goal is to ensure the availability of a RST for each and every examination performed Statewide.

Over the past few years, DMV has been experiencing critical issues with the current tablets. One primary issue is with the single battery losing its charge during an exam. These issues have a direct impact on the department’s ability to conduct accurate and timely skills exams. Any compromise of the system reduces Delaware’s ability to track and monitor fraudulent testing activity and greatly hinders reporting capabilities for management or other statistical reporting agencies. With that said, the Division has made the decision to upgrade to DELL tablets. These new tablets have dual batteries unlike a single battery in the current tablets. When fully charged, dual batteries will help ensure the tablets don’t lose their charge during an exam.

Delaware’s Department of Information Technology has a well-established relationship with the technology vendor, DELL. The State of Delaware utilizes DELL as the preferred vendor for the purchase of technology equipment. This long-standing relationship supports Delaware’s ability to receive fair pricing and exceptional response time when hardware issues arise.

**Maintenance of Program – CDL Manuals and Training Supplies**

The second performance objective is for the purchase of CDL manuals and training supplies. Delaware DMV contracts with vendor(s) for print / reprint and translation services of the current or new releases of the CDL Driver’s Manual approved by American Association of Motor Vehicle Administrators (AAMVA). The availability of training supplies such as toner and 3D filament which support Delaware’s ability to create training binders and build 3D models of vehicle components to be utilized as tools during skills certification training.

**Travel – Meetings**

The third objective is to support travel expenses for up to four (4) staff members who will visit Florida, Connecticut, Pennsylvania New York or other jurisdictions in support of various initiative: Delaware CDL Self Certification Application, Multi-State CDL Screening Project, Third Party CDL Testing and/or AAMVA meetings such as the CDLIS Reporting Group Annual Meeting.

Delaware is in the preliminary stages of researching and planning for the implementation of a Third Party CDL Testing Program. It is anticipated that staff will travel to other jurisdictions to discuss and observe their Third Party CDL Testing Program.
Commercial Motor Vehicle (CMV) safety, Innovative Technology Deployment (ITD) and Performance and Registration Information Systems Management (PRISM) are grant programs administered and sponsored by the Federal Motor Carrier Safety Administration (FMCSA) as their High Priority (HP) to improve commercial motor vehicle safety, reduce accidents and fatality.

The State of Delaware has applied for HP-ITD-2020 and HP-CMV-2020 grants’ fund. These programs provide federal aid as financial assistance to states in advancing technological capabilities for CMV operations in the areas of electronic credentialing, electronic screening, and electronic exchange of safety information. In Delaware, these programs were integrated at the project level to provide a cost-effective approach to meet federal requirements while simultaneously supporting business needs for the state.

**HP-ITD Project 1: IRP Operations and Maintenance (O&M)**

This project will provide O&M funding for Delaware’s vendor-supported Commercial-off-the-Shelf (COTS) International Registration Program (IRP) software system. The IRP System Replacement project was the first ITD project initiated by the State of Delaware in the fall of 2006. A web-based IRP system was procured and implemented in 2008. This system allows the Delaware Division of Motor Vehicles (DMV) to process commercial vehicle credentials (registration) and payments electronically for IRP commercial vehicles. This includes online processing of new, renewal, and supplemental applications for credentials, as well as electronic payment options. Motor carrier users log in to the system to access and update their IRP information over the Internet, including payments and credential renewals.

The IRP System interfaces with Delaware’s Commercial Vehicle Information Exchange Window (CVIEW) system to provide data exchange capabilities with Federal Safety and Fitness Electronic Records (SAFER) and Performance and Registration Information Systems Management (PRISM) systems for data validation and updates. The IRP system has external interfaces such as IRP Clearinghouse for the IRP fee distribution to other jurisdictions and VINtelligence for the vehicle identification number (VIN) validation.

The IRP system has been installed and operational since September 22, 2008. The first, entire renewal cycle was completed in July 2010. The system has reduced extra work by replacing all spreadsheets that were used in the past. Motor Carrier online access capabilities have been installed and available, and in use by external users such as motor carriers and FMCSA personnel at the Delaware District Office. Training workshops with motor carriers were held from 2010 through 2017 and DMV will continue to provide periodic training sessions as needed.

The IRP system has been enhanced and integrated with the new IFTA system to form one Motor Carrier E-Credentialing System, providing single login functionality and integrating IRP and IFTA functionality. The enhancements and integration were completed in February 2014.

**HP-ITD Project 2: IFTA Operations and Maintenance (O &M)**

This project will provide O&M funding for Delaware’s vendor-supported COTS International Fuel Tax Agreement (IFTA) Electronic Tax Filing and Credentialing software system. Delaware procured and implemented a web-based IFTA System which allows Delaware DMV to collect and process IFTA
quarterly taxes and issue credentials electronically, enable e-payment functionality and share data with IRP, CVIEW and SAFER systems. This system has been operational since February 2014.

This web based IFTA system enables online IFTA credential issuance, quarterly tax filing, electronic payment, decal orders and self-registration functionality over the Internet allowing DMV personnel and motor carriers to access and update their IFTA information. It has also been integrated with CVIEW for IFTA Snapshot information to be available in the CVIEW system for the data exchange and data validations with SAFER. It has external interfaces such as IFTA Clearinghouse for the IFTA tax fund distribution to other jurisdictions and Govolution for electronic payment processing.

The IFTA system has been integrated with the enhanced IRP system to form one Motor Carrier E-Credentialing System, providing single login functionality to Motor Carriers, DMV Personnel and FMCSA personnel at Delaware District Office. The enhancements and integration were completed in February 2014. Periodic end user training sessions are being conducted by DMV to teach commercial motor vehicle operators and administrators how to use the system.

**HP-ITD Project 3: CVIEW Operations and Maintenance (O&M)**

This project will provide O&M funding for Delaware’s vendor-supported COTS Commercial Vehicle Information Exchange Window (CVIEW) software system. The Delaware CVIEW project was initiated in the fall of 2006. A web-based COTS CVIEW system was procured and implemented in 2008. The vendor-supported Delaware CVIEW facilitates data exchange with internal and external applications including Federal government and Delaware systems. Specifically, it provides streamlined access to information from the following commercial vehicle systems: IRP (International Registration Plan), SAFER (Safety and Fitness Electronic Records System), PRISM (Performance and Registration Information Systems Management), UCR (Unified Carrier Registration), OS/OW (Oversize/Overweight) Hauling Permit, Query Central, IFTA (International Fuel Tax Agreement), and E-Screening/Virtual Weigh Stations technologies. Delaware CVIEW exchanges motor carrier and vehicle information with SAFER, the PRISM database and with Delaware’s Motor Carrier (IRP & IFTA Integrated) system. The CVIEW system has been operational and accessible to DMV personnel and to the Delaware State Police for the roadside inspections and enforcement since September 2008. Periodic upgrades and minor enhancements are made to the Delaware CVIEW system by the vendor.

**HP-ITD Project 4: Affiliation with IRP Inc. - Membership Dues**

This project will provide funding for International Registration Plan, Inc. (IRP Inc.) annual dues and membership fees. IRP, Inc. is a nonprofit organization that manages the IRP Plan, which Delaware became a member of on January 1, 1995. Payment of annual IRP membership dues and fees will allow the State of Delaware to continue to vote on IRP ballot proposals, transmit fees and data to other member jurisdictions, and enforce IRP requirements. The International Registration Plan (IRP) is a registration reciprocity agreement among states of the United States and provinces of Canada providing for payment of license fees based on the total distance operated in all jurisdictions. The unique feature of this Plan is that, even though license fees are paid to the various jurisdictions in which fleet vehicles are operated, only one license plate and one cab card is issued for each fleet vehicle when registered under the Plan. IRP fees are calculated on an apportioned basis, depending on the percentage of actual distance the fleet (rather than the individual vehicle being registered) traveled in each jurisdiction. According to the Federal Motor Carrier Safety Administration, sanctioning the IRP (interstate) registrations of commercial motor vehicles is a powerful enforcement tool in deterring out-of-service carriers from operating on U.S. roadways.
HP-ITD Project 5: Affiliation with IFTA Inc. - Membership Dues

This project will provide funding for International Fuel Tax Agreement, Inc. (IFTA, Inc.) annual dues and membership fees. IFTA, Inc. is a non-profit organization that manages the IFTA Program which Delaware became a member of on July 1, 1996. Payment of IFTA, Inc. annual membership dues and fees will allow the State of Delaware to continue to vote on IFTA ballot proposals, transmit fees and data to other member jurisdictions, and enforce IFTA requirements, rules and regulations. IFTA is a base jurisdiction fuel tax agreement among jurisdictions to simplify the reporting of fuel taxes by interstate motor carriers. Upon application, the carrier's base jurisdiction issues credentials that allows the IFTA carrier to travel in all IFTA jurisdictions. Jurisdiction refers to a State of the United States, the District of Columbia or a Province or Territory of Canada. The Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 mandated that all contiguous states and jurisdictions participate in the International Fuel Tax Agreement (IFTA) by September 30, 1996. The International Fuel Tax Agreement (IFTA) is an agreement to promote and encourage the most efficient use of the highway system. This makes the administration of motor fuels taxation uniform concerning motor carriers operating in several member jurisdictions. Paperwork and compliance burdens for fuel tax reporting are reduced.

HP-CMV Project 1: Share the Road - New Driver Training Program Initiative

This project will provide funding a New Driver Training Program Initiative called Share the Road. DelDOT seeks to implement this supplemental driver education program developed by the Virginia Tech Transportation Institute (VTTI) that aims to instruct young and older drivers alike on sharing the road with heavy vehicles in order to help the State’s goal of reducing motor vehicle fatalities. This program involves two components: (1) a hands-on truck experience developed by VTTI, which demonstrates proper procedures for sharing the road (STR) with trucks and other heavy vehicles along with the danger areas around these heavy vehicles; and (2) promoting the Tips for Sharing the Road with Commercial Motor Vehicles website (www.cmvroadsharign.org), which incorporates video clips of real-world driving events captured during VTTI naturalistic driving studies. The website is operational and available requiring only identification and maintenance. The proposed program will promote safe driving practices among teen drivers and the general driving population while interacting with commercial motor vehicles.

This project will include a DelDOT professional to oversee the program in Delaware and three VTTI research personnel to conduct each of the hands-on demonstrations. Additionally, the Delaware Motor Transport Association (DMTA) will be a critical partner in serving as liaison with local truck carriers to provide a Class 8 truck-trailer combination unit for each of these events.

HP-CMV Project 2: Funding for CMV-Related Travel

This project will provide funding for CMV-related travel for State employees for a period of two (2) years. ITD Program travel funding is not eligible to be used for all commercial motor vehicle safety-related conferences that may be useful for Delaware State employees. This includes the Commercial Vehicle Safety Alliance conferences, FMCSA Safety Summits, and other FMCSA and industry-sponsored CMV-related meetings and conferences. This project will address this travel funding gap and allow Delaware State employees that support the ITD, PRISM and CMV programs to travel to conferences that support the objectives of these programs.
Delaware Department of Transportation – Non-Discrimination Policies

Your Rights Under The Title VI Program

What is Title VI?

Title VI of the Civil Rights Act of 1964 states 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 subjected to discrimination under any program or activity receiving Federal financial assistance.

The Delaware Department of Transportation (DelDOT) conducts its programs, activities and facilities without regard to race, color, national origin, sex, age, or disability, including income-level and Limited English Proficiency (LEP).

Recipient/Sub-recipient

Any State, territory, possession, political subdivision, instrumentality, public or private agency, institution, organization entity, or individual who receives Federal financial assistance directly (recipient) or through another recipient (sub-recipient), but who is not the ultimate beneficiary.

Non-discrimination Compliance

The Delaware Department of Transportation (DelDOT) operates programs and activities without regard to race, color, national origin, sex, age, or disability, including income-level and LEP and prohibits discriminatory acts (or inaction) whether intentional or unintentional directed toward any group or individual as previously noted.

Who can file a complaint?

Any person or any specific class of persons (group) may file a complaint by themselves or by a representative, if they believe they have been subjected to discrimination or retaliation by DelDOT or DelDOT's sub-recipient based on race, color, national origin, sex, age, or disability including income-level or LEP.

DelDOT has posted the Notice to the Public as posters in all publicly accessed facilities, and has uploaded the Notice to the DelDOT website.

Complaint procedures

A complaint is a written or electronic statement concerning discrimination that requests the receiving office to take action.

Complaints must be signed, and can be mailed, faxed, delivered in person, or sent by email.

Complaints must contain the name of the complainant (person or group filing the complaint) and information such as phone number and address.

Complaints must be filed within 180 days of the last date of alleged discrimination.
If a Complainant is dissatisfied with the ultimate disposition of his/her complaint by DelDOT, the Complainant may file a separate complaint with the FMCSA. FMCSA will request the case file from DelDOT and will review the case file prior to making the determination as to whether a separate complaint investigation is warranted. If the complaint is against DelDOT's sub-recipient, DelDOT will conduct the investigation.

DelDOT's External Complaint Procedure is located at the link below:


If you have questions or need assistance, you may contact:

Civil Rights Administrator, Wendy B. Henry (302)760-2555, wendy.henry@delaware.gov
ADA Title II/Section 504 Coordinator, Todd Webb (302)760-2048, todd.webb@delaware.gov
Contract Services Administrator, Jim Hoagland (302)760-2031, Jim.Hoagland@delaware.gov

Delaware Department of Transportation
Attn: Civil Rights Administrator
800 Bay Road
PO Box 778
Dover, DE 19903

You may also file complaints with:
US Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Click on the link below to find additional information on our website:

SUB-RECIPIENT COMPLIANCE

DelDOT does not currently provide awards of FMCSA funds to any sub-recipients.
TRAINING (Internal and External)

DelDOT conducts Title VI Program-related training annually to its' personnel regarding the Title VI Program. The Title VI Program Coordinator conducts this training in-person (or via web-based training). The training consists of a PowerPoint presentation and periodical distribution of the Nondiscrimination Policy Statement. DelDOT employees requiring periodic Title VI non-discrimination training include the Secretary, Senior Management, Division Directors, Civil Rights Staff, and Committee Liaisons (assigned to each federal program area) Planning staff and project managers and other staff as deemed necessary.
ACCESS TO RECORDS

All records and documents related to implementation of the Title VI Program requirements, including those required for compliance reviews and investigations, are available for review by FMCSA upon request. FMCSA must provide a written request (letter or email) to the DelDOT Civil Rights Administrator (Title VI Program Coordinator) and specify the format that records are requested to be presented. If the format is not specified, documents will be provided in electronic format. DelDOT will acknowledge all requests upon receipt and should be allowed a minimum of ten business days to provide records. Arrangements can also be made if the FMCSA reviewer prefers to view the records on site at a DelDOT location.
COMPLAINT DISPOSITION PROCESS

Discrimination under DelDOT’s Title VI program is defined as an act, intentional or unintentional, through which a person or group of persons, has been subjected to unequal treatment or impact under any program or activity receiving Federal financial assistance based on race, color, national origin, disability, sex, or age, including income-level and LEP.

An individual or group that believes they have been subjected to discrimination by DelDOT or by one of DelDOT’s sub-recipients based on their race, color, national origin, sex, age, or disability, including income-level and LEP may file a complaint. Complaints should be submitted in writing and must be signed. Complaints must contain the name of the person or group filing the complaint (the complainant) and must contain contact information such as phone number and address. Complaints may be submitted to:

DelDOT Civil Rights Administrator, or
DelDOT ADA Title II/Section 504 Coordinator, or
DelDOT Contract Administrator

Mail to the following address:

Delaware Department of Transportation
800 Bay Road, PO Box 778
Dover, DE 19903

Title VI complaints of discrimination will be investigated by the Civil Rights Administrator (Title VI Program Coordinator). When a complaint is filed against DelDOT and it cannot be resolved to the satisfaction of the Complainant, the Complainant will be notified of his/her opportunity to file a separate complaint with the FMCSA. The FMCSA will then request the case file from DelDOT and will review the case file prior to making the determination as to whether a separate complaint investigation is warranted. Complaints may also be filed with:

Federal Coordination and Compliance Section - NWB
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

The Civil Rights Administrator (Title VI Program Coordinator) is responsible for investigating complaints against sub-recipients, and, once completed, the Report of Investigation and the complaint file will be forwarded to the Federal Coordination and Compliance Section for Letter of Finding. The Complainant will be formally notified in writing of the final disposition of their complaints.

When DelDOT conducts an investigation the following steps shall be taken (at a minimum):

- Determine the scope
- Develop an investigative plan
- Prepare a Request for Information for the respondent
- Interview appropriate witnesses, personnel, etc.
- Conduct an on-site visit, as necessary. (ADA complaints involving public right-of-way require on-site review.)
• Analyze the evidence.
• Prepare the Report of Investigation (ROI)

Click here to view DelDOT's detailed complaint procedure or go to:


(Note: this procedure is located on the official website for the State of Delaware.)

Additional information related to the Title VI Program can be found on DelDOT's website by clicking the web address below:


DelDOT records each complaint in a log and maintains detailed files regarding the allegations and all other pertinent information related to each complaint, including disposition. This information is available to FMCSA upon request.
STATUS OF CORRECTIVE ACTIONS IMPLEMENTED BY APPLICANT TO ADDRESS DEFICIENCIES PREVIOUSLY IDENTIFIED DURING A TITLE VI PROGRAM COMPLIANCE REVIEW

DelDOT has no active deficiencies.
COMMUNITY PARTICIPATION PROCESS

State laws require governmental agencies to remain “transparent” and provide information vital to the public by publishing or broadcasting program information in the news media. Advertisements must state the program is an equal opportunity program and/or indicate that Federal non-discrimination authorities prohibit discrimination. Additionally, reasonable steps shall be taken to publish information in languages understood by the population eligible to be served or likely to be directly affected by the program. These policies and procedures are articulated in greater detail in the Departments’ Public Participation Plan and Limited English Proficiency Plan which are made available to the public through request and on the Department’s website. Following is a sample public notice used by the Department.

Delaware Department of Transportation hereby gives public notice that is the policy of the Department to assure full compliance with title VI of the Civil rights Act of 1964, the Civil Rights Restoration Act of 1987 and related non-discrimination authorities in all programs and activities. It is our policy that no person in the United States of America shall, on the grounds of race, color, national origin, sex, disability, age, low-income, or limited English proficiency (LEP) be excluded from the participation in, be denied the benefits of or be otherwise subjected to discrimination under any of our programs or activities.

The Division of Motor Vehicles is required to follow the DelDOT Public Participation Plan when DelDOT determines that an intensive Public Outreach effort is necessary (i.e., in the event that one or more facilities are closed, services offered at the facilities are changed/hours of operation changed, etc.) The Public Notice of Title VI Program Rights has been posted at all the Division of Motor Vehicles facilities and on the DelDOT/DMV website. The Division of Motor Vehicles conducts the intensive Public Outreach effort and DelDOT will provide a written summary of the effort to the Federal Motor Carrier Safety Administration (FMCSA).

The DelDOT Public Participation Plan can be found at the following link:

DelDOT has reviewed the Community Participation Process section of the FMCSA Title VI Program Compliance Plan Checklist and has determined that the existing DelDOT Public Participation Plan includes all items identified in this section of the Plan Checklist (except for the FMCSA notification requirement).

Following is a sample public notice used by the Department.
Public Notice of Title VI Program Rights

The Delaware Department of Transportation gives public notice of its’ policy to uphold and assure full compliance with the non-discrimination requirements of Title VI of the Civil Rights Act of 1964 and related Nondiscrimination authorities. Title VI and related Nondiscrimination authorities stipulate that no person in the United States of America shall on the grounds of race, color, national origin, sex, age, disability, income level or Limited English Proficiency be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving Federal financial assistance.

Any person who desires more information regarding Delaware Department of Transportation’s Title VI Program can contact its Title VI Program Coordinator – Ms. Wendy B. Henry at the address noted below.

Any person who believes they have, individually or as a member of any specific class of persons, been subjected to discrimination on the basis of race, color, national origin, sex, age, disability, income level or Limited English Proficiency has the right to file a formal complaint. Any such complaint must be in writing and submitted within 180 days following the date of the alleged occurrence to:

Ms. Wendy B. Henry - Title VI Program Coordinator
Delaware Department of Transportation
800 Bay Road
Dover, DE 19901
(302) 760-2555
Wendy.Henry@Delaware.gov