



# BASIC TITLE VI PROGRAM TRAINING

January 10, 2024

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# Title VI Program Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), which prohibits discrimination on the basis of race, color, or national origin, as implemented by [49 C.F.R. § 21.1 et seq.](#) and 49 C.F.R. § 303;
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), which prohibits discrimination on the basis of sex;
- Title IX of the Education Amendments of 1972, as amended, (20 U.S.C. § 1681 *et seq.*), which prohibits discrimination on the basis of sex in education programs or activities, as implemented by [49 C.F.R. § 25.1 et seq.](#);

# Title VI Program Authorities (Cont'd)

- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), which prohibits discrimination on the basis of age;
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, which prohibits discrimination on the basis of disability and 49 C.F.R part 27;
- 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;

## Title VI Program Authorities (Cont'd)

- 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.*”;

## Title VI Program Authorities (Cont'd)

- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which prohibits 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;

## Title VI Program Authorities (Cont'd)

- Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency*, and resulting Department of Transportation guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP).

# FMCSA Title VI Program Regulations

- 49 Code of Federal Regulations (CFR) Part 303:
  - 303.1 Purpose – The purpose of this part is to provide guidelines and procedures for implementing the Federal Motor Carrier Safety Administration's (FMCSA) Title VI Program under Title VI of the Civil Rights Act of 1964 and related civil rights laws and regulations.



# FMCSA Title VI Program Regulations (Cont'd)

303.1 Purpose (Cont'd) – For FMCSA-only programs or activities, Federal financial assistance recipients or grantees will continue to apply and use the Departmental Title VI provisions at 49 CFR part 21.

# FMCSA Title VI Program Regulations (Cont'd)

303.1 Purpose (Cont'd) – For joint and multi-agency programs/projects, FMCSA Federal assistance recipients or grantees must use the Title VI requirements at 49 CFR part 21, unless agreement is reached by the Federal funding agencies for the recipients to use the Title VI procedures of another agency.

# FMCSA Title VI Program Regulations (Cont'd)

303.3 Application of this part – The provisions of this part are applicable to all elements of the FMCSA and to any program or activity for which Federal financial assistance is authorized under a law administered by the FMCSA.

# FMCSA Title VI Program Regulations (Cont'd)

## 303.3 Application of this part (Cont'd) –

This part provides Title VI guidelines for State Departments of Transportation and local State agencies, including their sub-recipients, to implement Title VI.

# FMCSA Title VI Program Regulations (Cont'd)

303.3 Application of this part (Cont'd) – It also applies to money paid, property transferred, or other Federal financial assistance extended under any program of the FMCSA after the date of this part.

# FMCSA Title VI Program Regulations (Cont'd)

49 CFR Part 21: United States Department of Transportation Title VI Program regulation, prescribes that applicants agree to Grant language as well as sign an assurance, requires data collection and complaint procedures.

# FMCSA Title VI Program Grant Requirements For Applicants

- FMCSA Title VI Program Assurance
  - Based on the template as directed by the USDOT Order 1050.2A
  - Submitted by each Applicant annually
- FMCSA Applicant Title VI Program Compliance Plan (Checklist)
  - Checklist to be used as format for Plan

# Elements Of The Title VI Program Compliance Plan

- FMCSA Applicant Title VI Program Compliance Plan (Checklist) –
  1. Policy Statement;
  2. FMCSA Title VI Program Assurance;
  3. Description of Federal-Aid Programs;
  4. Notification to Beneficiaries/  
Participants – Public Notice of Title VI Program Right posted hard copy and electronically;



## Elements Of The Title VI Program Compliance Plan (Cont'd)

5. Sub-Recipient Compliance Reports;
6. Training;
7. Access to Records;
8. Complaint Disposition Process;
9. Status of Corrective Actions  
Implemented by Applicant to Address  
Deficiencies Previously Identified During a  
Title VI Program Compliance Review;

# Elements Of The Title VI Program Compliance Plan (Cont'd)

10. Community Participation Process;
11. Commercial Motor Vehicle Inspection Selection & Unbiased Enforcement Policies.



# Contact Information