

**DRIVER & VEHICLE  
SERVICES AND BUREAU  
OF OPERATIONS TITLE VI  
PROGRAM POLICY  
COMPLIANCE PLAN**

---



# Table of Contents

Introduction .....	3
Title VI Program Policy Statement .....	4
DVS Title VI Program Compliance Plan Coordination.....	6
Notification to Beneficiaries and Participants.....	6
Title VI Program Public Notice.....	7
Driver License Centers, Riverfront Office Center (ROC) Counter Area and PennDOT Photo License Centers.....	8
Policy and Document Reviews.....	8
Subrecipient Compliance Report .....	8
Title VI Program Training .....	9
Other Relevant Training.....	9
Limited English Proficiency (LEP) .....	10
Driver's Manual and Driver's License Testing.....	11
Access to Records.....	13
Complaint Log .....	13
Discrimination Prohibited .....	13
Discrimination Complaint Procedures .....	14
Complaint Disposition Process .....	15
Filing a Complaint .....	15
Third Party Complaints .....	16
Department Initiated Investigations .....	16
Approaches to Complaint Resolution .....	17
Finding of Non-Compliance/Compliance.....	17
Contractor Oversight.....	18
Status of Corrective Actions .....	18
Community Participation Process.....	19
Description of Federal-Aid Programs.....	21
CMV Inspection Selection & Unbiased Enforcement Policies .....	27
U.S. DOT Standard Title VI Non-Discrimination Assurance .....	28
Appendix A .....	32
Appendix B .....	33
Appendix C .....	34
Appendix D .....	35
Appendix E.....	36
Sample Discrimination Complaint Form .....	37
Global Arena Handbook for PennDOT Users .....	38
Four-Factor Analysis 2022.....	48

## **Introduction**

Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin in programs and activities receiving federal financial assistance. The law was the model for several subsequent federal laws, regulations, and executive orders that prohibit discrimination based on sex, disability, age, creed, low income, or limited English proficiency (LEP).

Federal agencies are charged with overseeing compliance among grant recipients and often use the "Title VI Program" as a reference regarding non-discrimination requirements.

The protections against discrimination extend to all operations of an agency receiving federal assistance, not just to grant-funded activity. The Civil Rights Restoration Act of 1987 clarifies the broad institution-wide application of Title VI and other non-discrimination statutes. The term "program or activity" means all operations, regardless of whether such programs and activities are federally funded.

Driver and Vehicle Services (DVS) is committed to providing an inclusive environment for all customers, employees, contractors, and vendors. While specific federal and Commonwealth rules against discrimination vary in scope and applicability, it is our policy to adhere to these principles collectively. The Federal Motor Carrier Safety Administration (FMCSA) Office of Civil Rights is an important partner in carrying out FMCSA's Title VI Program regulations, which include 49 C.F.R. Part 21 and Part 303. Pursuant to the Title VI Program Assurance, DVS has made a commitment to comply and uphold the requirements of FMCSA. The Program Compliance Plan details how these policies are to be implemented.



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF TRANSPORTATION  
HARRISBURG, PENNSYLVANIA 17101-1900

OFFICE OF  
SECRETARY OF TRANSPORTATION

## **Title VI Policy Statement**

It is the policy of the Pennsylvania Department of Transportation (Department), in accordance with Title VI of the Civil Rights Act of 1964, related Nondiscrimination authorities, and the Assurances set forth in the Department's Title VI Compliance and Implementation Plan to ensure that "no person in the Commonwealth of Pennsylvania shall, on the basis of race, color, national origin, sex, creed, age, disability, low-income, or limited English proficiency (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 Department receives Federal financial assistance. Furthermore, it shall be the policy of the Department to ensure that as a recipient of Federal-aid funding, it will ensure nondiscrimination in all its programs and activities whether Federally funded or not. The Department is steadfast in its commitment to ensure the uniform adoption of this policy.

Accordingly, to ensure compliance with Title VI of the Civil Rights Act and related Nondiscrimination authorities, the Pennsylvania Department of Transportation commits to:

1. Conducting and operating each of its programs and facilities in compliance with all requirements imposed by, or pursuant to, Title VI of the Civil Rights Act and related Nondiscrimination authorities;
2. Providing nondiscriminatory methods of administration for programs and to give reasonable guarantee that the Pennsylvania Department of Transportation, sub-recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal Financial Assistance under such programs will comply with all requirements imposed by Title VI of the Civil Rights Act and related Nondiscrimination authorities; and
3. Promptly taking any measures necessary to effect compliance with Title VI of the Civil Rights Act and related Nondiscrimination authorities.

Further, the Department's efforts to prevent discrimination will address, but not be limited to, a program's impact upon access, benefits, participation, treatment, services, contracting opportunities, training opportunities, investigation of complaints, allocation of funds, prioritization of projects and the functions of right of way, research, planning, design, construction and the environmental.

In accordance with Federal Highway Administration Regulation 23 CFR 200.9; and Title 49 CFR; Department of Transportation, Subtitle A, Office of the Secretary Part 21; and FTA Circular 4702.1B, the Pennsylvania Department of Transportation, and the Federal Motor Carrier Safety Administration, 49 CFR Subtitle B Chapter III; Subchapter 'A' Part 303 Section 303.1 has developed procedures for prompt processing and disposition of the Title VI complaints. Any person believing the Department or any of its sub-recipients has violated Title VI in the administration of its programs or activities may file a complaint with the Department's Title VI Administrator.

Overall responsibility for this policy is assigned to the Deputy Secretary for Administration located in the Commonwealth Keystone Building, Eighth Floor, Harrisburg, PA, Telephone (717) 787-5628. The Director, Bureau of Workforce and Business Opportunity, is appointed as the Title VI Program Administrator and is responsible for the implementation of the Department's Title VI Program in coordination with all Department Managers/Directors and Title VI Program designees.

Individuals with questions or requiring additional information relating to this policy or the implementation of the Pennsylvania Department of Transportation's Title VI Program should contact the Director of the Bureau of Workforce and Business Opportunity located on the Fifth Floor of the Commonwealth Keystone Building, Harrisburg, PA, Telephone (717) 787-5891.

A handwritten signature in black ink, appearing to read "Ned Call", written over a horizontal line.

Secretary of Transportation

April 16, 2025

Date

## **Driver and Vehicle Services (DVS) Title VI Compliance Plan Coordination**

This section provides an overview of Driver and Vehicle Services (DVS). It identifies key staff, contact information, and describes DVS' implementation of various elements of the Title VI Program Compliance Plan.

The DVS Title VI Program Coordinators and Representatives will be trained and assisted in their duties by the Department's Title VI Program Specialist.

The DVS Title VI Program Coordinators, Representatives, and Specialist are responsible for ensuring that all matters relating to non-discrimination are administered effectively. The Program Coordinator/Representative/Specialist's responsibilities include but are not limited to:

- Ensuring that the Title VI Department of Transportation (DOT) Standard Assurances are signed annually between federal administrative agencies and the Department;
- Ensuring that the Title VI Contract Provisions are applied to all contracts with contracting agencies performing functions on behalf of DVS;
- Providing Title VI Program training to agency staff;
- Developing the Title VI Program and related non-discrimination information for dissemination to the public;
- Facilitating the investigation and resolution of complaints and allegations of discrimination;
- Developing and maintaining DVS' Title VI Program Compliance Plan.

## **Notification to Beneficiaries and Participants**

This section describes how DVS and Bureau of Operations disseminates information to the public regarding protections against discrimination afforded to them by the Title VI Program. It also explains how a person may notify the agency and file a complaint regarding allegations of discrimination. DVS and Bureau of Operations disseminates this information to members of the public via its website and through accessible printed documents and/or forms.

### **Public Notice of Title VI Program Rights Link:**

<https://www.pa.gov/content/dam/copapwp-pagov/en/penndot/documents/about-us/equalemployment/documents/title%20vi%20program%20notice%20to%20the%20public.pdf>

# **PENNSYLVANIA DEPARTMENT OF TRANSPORTATION**

## **PUBLIC NOTICE OF TITLE VI POLICY**

The Pennsylvania Department of Transportation (Department) hereby gives notice that it 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 statutes and regulations in all programs and activities. Title VI and its related statutes requires that no person in the United States 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 administered by PennDOT.

Any person who believes they have been aggrieved by a discriminatory practice under Title VI has a right to file a formal complaint with the Department. Any such complaint must be in writing and filed with the Department's Title VI Coordinator within one hundred eighty (180) days following the date of the alleged discriminatory occurrence. A Title VI Discrimination Complaint Form can be obtained from the Bureau of Workforce and Business Opportunity by dialing (717) 787-5891 or by linking to <https://www.pa.gov/content/dam/copapwp-pagov/en/penndot/documents/public/pubsforms/forms/eo-478.pdf>.

If you speak another language, language assistance is available by calling (717) 787-5891, (TTY: 711).

## **Driver License Centers, Riverfront Office Center Counter Area, and PennDOT Photo License Centers**

PennDOT Driver License Centers, the Riverfront Office Center Counter Area and PennDOT Photo License Centers display the poster "Public Notice of Title VI Policy" in a common area available to all customers. The Department created the Public Notice of Title VI Policy poster for all Driver License Centers, the Riverfront Office Center Counter Area, and PennDOT Photo License Centers. The poster is published in English and Spanish and has a QR (Quick Response Code) that will take the customer to the Bureau of Workforce and Business Opportunity website for information on the policy and how to file a discrimination complaint.

## **Policy and Document Reviews**

In addition to reviewing documents and plans directly associated with the Title VI Program, the Title VI Program Specialist reviews Department publications and forms through the Department's Clearance Transmittal process and Forms Review process. These processes are designed to allow specialists throughout the Department to review policies and documents for regulatory compliance. The Bureau of Workforce and Business Opportunity is in Step 1 (internal) for both processes and will maintain a log of the reviewed documents. The Specialist, Coordinators and Representatives also review samples of internal communications, policies, and employee guidance statements. This is done to ensure that no policy, practice, form, or publication proposed by the Department or its subrecipients have a disparate impact on any group of people based on their race, color, national origin, limited English proficiency, or low-income status.

## **Subrecipient Compliance Reports**

DVS does not currently disburse FMCSA funds to subrecipients.

Bureau of Operations is currently looking to seek funding for the FY2025 year. This grant is entitled the HP-CMV Grant. Should funding be awarded to the Bureau of Operations, they are planning to grant FMCSA funding to a sub-grantee (the Pennsylvania Motor Truck Association). A commitment to obtain a Title VI Program Compliance Plan from the sub-grantee using the FMCSA Title VI Program Compliance Plan Checklist has been agreed upon, as this is a requirement for the sub-grantee to complete.



## **Title VI Program Training**

The DVS Title VI Program Coordinators, Representatives, and Specialists are responsible for implementing a Title VI Program training for all DVS personnel and contractors performing functions on behalf of the Department. Training content and delivery are provided to all of PennDOT by the Bureau of Workforce and Business Opportunity via web-based training methods. Currently, the DVS Training Division works with Nicole Tylor, Director of Equity and Including and the DEBI Department. Trainings are done on an as-needed basis, which can occur either annually or biennially.

## **Other Relevant Training**

**CROSS CULTURAL DIVERSITY AND COMMUNICATION** - This training course includes information on how culture and diversity can affect communication with internal customers and external customers. It also includes strategies for effective communication and provides information on translation services, which provides interpretation and translation services in more than 200 languages. The training is built to provide understanding, acceptance, and respect of different cultural backgrounds, to become better communicators with colleagues and customers. This web-based training is mandatory for all Driver and Vehicle Services employees.

**CUSTOMER SERVICE TRAINING** – This course demonstrates how important it is to be aware of diverse cultures, and customs which in turn influence body language, tone of voice, and chosen words. This knowledge allows for understanding what actions or words should or should not be used when conversing with others from different cultural backgrounds. The training emphasizes keeping an open mind regarding differences in diversity and improves multi-cultural communications.

**LIMITED ENGLISH PROFICIENCY (LEP) WEB-BASED TRAINING** – This training has been developed for all DVS staff by the Bureau of Workforce and Business Opportunity. This training focuses on the use of the over-the-phone interpretation contract, appropriate use of this service, instruction on how to engage with LEP customers, and contracted interpreters. This training is intended to be provided annually for all PennDOT staff, including DVS staff, and contracting agents providing services on behalf of the Department.

## Limited English Proficiency (LEP)

Title VI and related statutes and authorities' prohibition of discrimination based on national origin has been interpreted to mean that no person shall be denied meaningful access to services due to limited English proficiency (LEP). These laws and authorities apply to DVS services and programs as well as those provided by our contracting agencies. PennDOT has adopted the federal regulatory definition for LEP to mean any person or group whose ability to speak, read or understand English is "less than very well".

Based on the four-factor analysis provided by the U.S. Department of Transportation (USDOT), DVS will periodically assess and update its LEP access and accommodations in programs identified by DVS and FMCSA. USDOT has issued guidance for developing a plan regarding LEP compliance. The guidance states 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 affected;
- Nature of service or program and importance to people's lives;
- Resources and costs.

A copy of the 2022 Commonwealth-wide Four Factor Analysis is available as an Appendix at the end of this compliance plan.

PennDOT is committed to ensuring the success of the LEP Plan and offers guidance, conducts periodic trainings and compliance monitoring of DVS programs, services, and locations. PennDOT has developed a comprehensive LEP Plan for all Departmental functions, including DVS. This LEP Plan has been made available as a resource for DVS staff and has been made available to the public by request or through the PennDOT website.

[https://www.pa.gov/content/dam/copapwp-pagov/en/penndot/documents/public/pubsforms/publications/pub\\_478a.pdf](https://www.pa.gov/content/dam/copapwp-pagov/en/penndot/documents/public/pubsforms/publications/pub_478a.pdf)

This plan is also available as translatable content using PennDOT's web-based translation feature:

<https://www.pa.gov/agencies/penndot/about-penndot/equal-opportunity-equity/limited-english-proficiency-lep.html>

Additionally, PennDOT has a contract with Global Arena, a language interpretation service. The contract began on January 1, 2025. A handbook for PennDOT users is included near the end of this compliance plan directly ahead of the Four Factor Analysis.

## **Non-Commercial Driver's Manual and Driver's License testing for LEP Customers**

The Pennsylvania Non-Commercial Driver's Manual is available online in PDF formats in English and in 24 additional languages.

<https://www.pa.gov/agencies/dmv/driver-services/pennsylvania-drivers-manual.html>

For general information, counter transactions, or skills testing instruction where LEP services are needed, a family member or friend may interpret at a customer's request, or if necessary, DVS uses the language line or electronic assistive translation devices to assist. Each Driver License Center has language line information posted and available at counters.

If a customer requires assistance and has limited-English proficiency the customer may point to the language on a poster or counter brochure and the employee will use the language line or electronic assistive translation devices to assist at the counter for explaining needs, receiving service, and completing forms. DVS staff will initiate the call utilizing the language line or obtain the appropriate device based on need. DVS has equipped locations with cordless phones for ease of use with the language line. DVS has begun use of and distribution of electronic assistive translating devices (Pocketalks or similar device) to assist in and enhance LEP access and service.

To obtain an initial Pennsylvania driver's license, a person is required to have a physical completed, and must apply for a non-commercial learner's permit. To obtain the non-commercial learner's permit, the person is required to take a non-commercial knowledge test. DVS offers the non-commercial knowledge test electronically in audio (voice) and text formats in 33 different languages. LEP customers who have requested a language not readily available and cannot be accommodated utilizing one of the languages offered on the knowledge test system, may request an LEP accommodation. DVS Driver License Center staff will discuss options for LEP accommodations for knowledge testing such as utilization of an approved PennDOT interpreter.

Once the permit is obtained, the customer must successfully complete an on-road skills test to obtain the Pennsylvania driver's license. The on-road skills portion of the test is by appointment and administered in English.

Prior to conducting the on-road skills test, a DVS employee provides road test instructions, conducts a cursory safety walk-around of the vehicle, administers the knowledge of controls portion of the test, and administers the parallel park maneuver to determine:

1. Whether the customer can understand instructions and directions;
2. Whether the motor vehicle is safe and in working order;
3. Has the ability and knowledge to operate vehicle controls;
4. Has the ability to safely judge vehicle characteristics and operate a motor vehicle.

LEP customers can use a family member or friend, request the accommodation of having an interpreter present, or DVS staff will use other interpreter services or assistive translation device during the instructional portion only of the road test to translate and explain the testing process, how communication and directional instruction will be provided during testing, and to provide the Examiner feedback after the road test has been completed. Once the test has started the interpreter services will no longer be permitted until the test is completed.

## Access to Records

DVS acknowledges its responsibility to provide access to records that demonstrate compliance with Title VI and related non-discrimination authorities. DVS will ensure that records relating to the effective implementation of this plan are available for review by the FMCSA upon request or by periodic submission to the FMCSA.

To ensure that Title VI Program reporting requirements are met, the Department's Bureau of Workforce and Business Opportunity maintains the following:

- A log and database of Title VI Program complaints received and their disposition;
- A log of the public outreach activities;
- A copy of training materials relating to non-discrimination and Title VI Program compliance.

These records are confidential and PennDOT will maintain and retain files as required by the Pennsylvania record retention schedules and in accordance with Federal guidelines.

## Complaint Log

(Sample Log)

Date	Name	DVS Complaint Number	BWBO Complaint Number	Allegation	Relevant Class (Race, color, national origin)	Investigation Report Date	Final Determination & Date	Notes
------	------	----------------------	-----------------------	------------	---	---------------------------	----------------------------	-------

A log of all complaints along with their outcomes is maintained by the Title VI Program Specialist in the Bureau of Workforce and Business Opportunity. This log will be provided upon request to FMCSA for review.

## Discrimination Prohibited

Title VI of the Civil Rights Act of 1964, prohibits discrimination based upon race, color, and national origin. Specifically, 42 USC 2000d states that "No person in the United States shall, on the ground 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 use of the word "person" is important as the protections afforded under Title VI apply to anyone, regardless of whether the individual is lawfully present in the United States or a citizen of the United States.

In addition to Title VI, there are other Federal and Commonwealth nondiscrimination statutes that afford legal protection. These statutes include but are not limited to the following: Title II of the Civil

Rights Act of 1964 (race, color, religious creed and national origin), Section 162 (a) of the Federal-Aid Highway Act of 1973 (23 USC 324) (sex), Age Discrimination Act of 1975 (age), Section 504 of the Rehabilitation Act of 1973, the Americans With Disabilities Act of 1990 (disability), and the Pennsylvania Human Relations Act of 1955 (race, color, national origin, sex, religious creed, ancestry, and disability). Taken together, these requirements define an overarching Title VI/Nondiscrimination Program. PennDOT, a recipient of federal financial assistance, must be in compliance with Title VI and provide meaningful and reasonable access.

PennDOT's Title VI Program includes other federal and Commonwealth nondiscrimination authorities which prohibit discrimination based on age, sex, religious creed, disability, limited English proficiency and low- income. The specific types of discrimination prohibited, shall be inclusive of those enumerated in 49 CFR Part 21 Section 21.5.

## **Discrimination Complaint Procedures**

In order to comply with federal and Commonwealth civil rights statutes and authorities, PennDOT has developed procedures for investigating and tracking Title VI Program complaints filed against it and its contracting agencies. These procedures are available to the public upon request.

Moreover, to reduce the administrative burden associated with this requirement, PennDOT's contracting agencies are encouraged to adopt the Department's Title VI Program model, complaint investigation procedures, and tracking process for their own use.

Title VI Program Coordinators, Representatives, and Specialists play an important role in the resolution of discrimination complaints. When individuals have complaints of discrimination or harassment, these Coordinators, Representatives and Specialists are required, working with the legal office and the responsible agency official, to investigate the allegations and to engage in an interactive process to work to resolve accommodation requests and complaints informally.

The purpose of investigating an allegation of discrimination is to determine if, in fact, discrimination did occur, how to correct the behavior, practice, or alleged discriminatory conduct, and work to prevent future discriminatory acts.

The Coordinator/Representative/Specialist's role is to document and investigate the allegations of discrimination. As an investigator, it is essential to exercise objectivity throughout the investigative process. The investigator must remain impartial and unbiased throughout the investigation, gathering all relevant facts so that the ultimate decision-maker (responsible agency official) has all of the necessary information to enable them to make a determination about the complaint.

The investigator is not an advocate for the complainant or the respondent. Rather, the investigator's role is to remain impartial and conduct every investigation with objectivity and fairness to all parties involved.

All complaints of discrimination must be handled in accordance with these procedures.

# Complaint Disposition Process

Any person who believes they have been subjected to discrimination based on race, color, national origin, sex, age, creed, disability, income-level or limited English proficiency (LEP) has the right to file a complaint of discrimination under the Title VI Program. The complaint may be filed by an affected individual or their representative and should be in writing. The complaint should be completed within 180 days of the initial incident. If a complainant is unable to generate their own written complaint, an accommodation may be requested and provided. A complaint generated on their behalf with a Consent/Release form will be completed prior to complaint processing. The complaint may be filed with the DVS Title VI Program Coordinators, Representatives, or the Title VI Program Specialist. The Title VI Program Coordinators and Representatives are responsible for the complaint processing and the Title VI Program Specialist is responsible for file maintenance and oversight of the program.

## FILING A COMPLAINT

Title VI of the Civil Rights Act of 1964 requires the complaint must be filed no later than 180 days after the date of the alleged act of harm the complainant believes was discriminatory, the date the person(s) became aware of the alleged discrimination, or the last instance when an ongoing act of harm is alleged. The complaint must be in writing.

Complainants shall explain, as fully as possible, the facts and circumstances surrounding the alleged act of harm and identify the individual(s) and/or organization(s) responsible for the alleged conduct.

Signed allegations of discrimination received by facsimile or email will be acknowledged and processed. If a complainant is unable to provide a written complaint, a telephone interview will be conducted as an accommodation to draft the complainant's allegations and then a copy will be provided to the complainant for confirmation, revision, and signature before processing.

The complaint will include:

- The complainant's name, address, and telephone number;
- Name and address of the individual, agency, institution, or department alleged in complaint;
- How, why, when, and where alleged discrimination occurred, and any other relevant information.

Complaints submitted after the 180-day statutory period can be reviewed by the Office of Chief Counsel (OCC) to determine equitable tolling depending on extenuating circumstances presented by complaint(s). Only the OCC has the authority to determine if a complaint can be accepted beyond the 180-day period. Complainants shall submit complaints to:

Pennsylvania Driver and Vehicle Services  
Title VI Program Coordinator  
1101 South Front Street  
Harrisburg, Pennsylvania 17104

OR  
PennDOT Bureau of Workforce and Business Opportunity  
PO Box 3251  
Harrisburg, PA 17105-3251

Alternatively, complaints may be submitted electronically to RA [penndoteoreports@pa.gov](mailto:penndoteoreports@pa.gov). To file a complaint by phone, call 717-787-5891. Fax complaints may be submitted to 717-772-4026. Complaints received by DVS offices and the Department's contracting agents shall notify BWBO within two (2) days of receipt for processing consistent with these procedures.

### **THIRD-PARTY COMPLAINTS**

If the complaint is filed by a third-party on behalf of another individual or group, then the Department's Title VI Program Coordinators/Representatives/Specialist will attempt to contact the named complainant(s) (or, where the complainant is a minor child or incompetent adult, contact the victim's parent or guardian on whose behalf the complaint is filed to ensure that the named complainant wishes to pursue the allegations raised on his/her behalf). If the person(s) (or their parent or guardian) declines to pursue the complaint, the Department closes the complaint and informs the third-party complainant of the reason for the closure. A memo is placed in the file explaining the steps taken and the reasons that the alleged complainant(s) (or their parent or guardian) did not wish to pursue the complaint, if provided. If the person, parent, or guardian does want to pursue the complaint, the Department provides him or her with a copy of the Consent/Release forms for signature. If the named complainant(s) wishes to pursue the allegation(s), the Coordinators/Representatives/Specialist will initiate the Investigatory process and work with all named parties to work towards informal resolution.

If a third-party complainant wishes to pursue a complaint where the alleged aggrieved party does not want to pursue or participate in an investigation, the allegation will be presented to the Office of Chief Counsel to determine if a Department Initiated Investigation may be warranted.

### **DEPARTMENT INITIATED INVESTIGATIONS**

In order to proactively address potential discriminatory acts, policies or practices, the Department's Title VI Program Specialist, Representatives and Coordinators may initiate a Departmental investigation without first receiving any formal complaints. The identification of compliance issues is a part of the routine monitoring requirements of the Title VI Program officers. These investigations will be logged and may lead to disparate treatment or impact determinations and departmentally initiated corrective actions. Internal determinations of intentional discrimination or non-compliance with any provisions under the Title VI Program will be addressed with the appropriate offices. Issues of non-compliance identified with the Department's contracting agents will be reported to the offending entity along with reasonable expectations for resolution or corrections. Any instances of failure to comply with these recommendations could lead to a determination of non-compliance which would be reported to the appropriate federal jurisdictional agency.



## **APPROACHES TO COMPLAINT RESOLUTION**

In order to meet the needs of complainants efficiently and effectively, the DVS staff will engage in an interactive process to work to resolve issues raised in a complaint of discrimination informally, when possible. When not resolved informally, an investigation will continue through a fact-finding process and requests for information. Resolving a complaint to a complainant's satisfaction is the principal goal of the investigator, but such agreements do not absolve DVS or its contracting agencies of the responsibility to address, correct, and prevent future incidents of discrimination. Even in cases where complainants are satisfied with the outcome of investigations or resolutions, the underlining allegations must still be addressed and resolved when found to be non-compliant with the Title VI Program.

## **FINDINGS OF NON-COMPLIANCE/COMPLIANCE**

In the event the Bureau of Workforce and Business Opportunity or appropriate DOT operating administration concludes there is non-compliance with the laws/regulations as alleged, the Department will outline the recommendations for corrective action in writing to the respondent. The respondent will be provided adequate time to comply with the recommendations.

## **Contractor Oversight**

Various legislative and regulatory requirements (i.e., Civil Rights, Equal Employment Opportunity, disabled accessibility, labor protection, environmental protection, and DBE requirements) receive special attention during the monitoring and review process. Contractor compliance is continually monitored through review of planning documents, project status reports, field checks, project audits, investigations, and/or resolutions of complaints.

DVS staff will work together with the Bureau of Workforce and Business Opportunity staff to ensure that contracting agencies comply with the Department's Title VI Program requirements. Contracting agencies must complete the DOT Title VI Contract Provision, which is included with all contracts generated by PennDOT or those created by other Commonwealth agencies where the contractor is performing functions on behalf of PennDOT. The Title VI Program Specialist reviews the programs to ensure they meet Federal compliance standards as well as the Department's Title VI Program requirements. In addition, contracting agencies must provide documentation regarding complaints, lawsuits, or civil rights compliance reviews for inspection by the Bureau of Workforce and Business Opportunity.

In instances where non-compliance is discovered, contractors are immediately notified of the deficiencies, recommended corrections are given, and a final date to achieve full compliance is provided. Failure to correct the deficiencies could result in suspension of contract pending implementation of corrective actions and/or additional investigation.

If DVS or any of its contracting agencies have previously been reviewed by FMCSA or another federal agency for Title VI Program compliance, DVS will reference any deficiencies identified by the agency and provide the status of corrective actions.

### **STATUS OF CORRECTIVE ACTIONS**

No federally conducted compliance reviews occurred during this program year and no outstanding corrective actions were issued or needed to be addressed by the Department or its contracting agencies.

# Community Participation Process

In order to comply with federal and Commonwealth civil rights statutes and authorities, DVS has developed procedures for engaging with the public when increasing or decreasing the number of public facilities and/or when making changes to services provided. These procedures are articulated in greater detail in PennDOT's publication Every Voice Counts, Environmental Justice Moving Forward, which can be found using the following link:

<https://www.pa.gov/content/dam/copapwp-pagov/en/penndot/documents/public/pubsforms/publications/pub%20737.pdf>

PennDOT's commitment to inform and work with the public are further articulated in the Department's Public Participation Plan (2020). This Plan is currently available on PennDOT's website as a PDF file and a translatable web content, which can be found using the following links:

<https://www.pa.gov/content/dam/copapwp-pagov/en/penndot/documents/public/pubsforms/publications/pub%20823.pdf>

When addressing proposed changes to facility locations and service provided, DVS begins by reviewing regional demographic data. PennDOT's Bureau of Workforce and Business Opportunity periodically compiles demographic data from the U.S. Census and additional statistical data sources to identify the location of LEP, minority and low-income communities which may be impacted by DVS activities. This data is used for Benefits and Burdens Analysis to assess possible disparate treatment or impacts based on these affected populations prior to publicly proposing changes to available facilities or services.

The next stage involves customized public outreach through the use of press releases, advertisements in local newspapers, posters and digital billboards at DVS locations, local billboards, radio, and television announcements through local media outlets, on the DVS webpage, and through the use of social media. Public communications can be made available through the accommodation request process. All web-based communications are translatable using the Department's web translation feature. These communications also include notifications to the public regarding non-discrimination protections provided under the DVS Title VI Program. In the event DVS staff identify the need for more intensive outreach based on demographic analysis or customer and Stakeholder concerns, public meetings will be scheduled in ADA accessible locations on public transit routes.

Customer and Stakeholder concerns will be reviewed and addressed by DVS staff during implementation of the proposed change.

The most notable example of this activity during the past two program years has been with the implementation of the REAL ID program and the Department's response to Pandemics. As learned with COVID-19, pandemics can present unique challenges to providing in-person services therefore require services provided to the public to be moved to on-line and virtual applications and processing. The Department uses press

conferences to communicate these changes to the public along with on-line instruction.

## Description of Federal-Aid Programs

DVS applied for federal assistance under the grant programs described below and will be updating this plan with the appropriate descriptions upon seeking additional assistance.

### **FY 2023 CDL PROGRAM IMPROVEMENT GRANT FM-CDL-0542-23-01-00**

Driver and Vehicle Services, Bureau of Driver Licensing has a current DOT/FMCSA grant to improve the Commercial Driver's License (CDL) program. This grant is funding a total of four (4) projects.

- Project 1. Employer Notification System (ENS)

The Pennsylvania Department of Transportation (PennDOT) sought Federal grant funding to fund the implementation of an Employer Notification Service (ENS). An ENS is a voluntary program an entity may subscribe to that automatically sends updates to an employer when an employee has a change in driver's license status, is involved in a crash, or has a conviction posted to their driver record. This project would fall under the "CDLPI High Priority/Emerging Issues Cooperative Agreements and Grants" category.

Federal regulations require CDL holders to report certain convictions (49 CFR 383.31) and license actions (49 CFR 383.33) to their employer and motor carriers to check the Driver History Record (DHR) of their drivers at least annually (49 CFR 391.25). Prompt notification of suspensions and revocations, crashes, and other violations allows motor carriers to ensure drivers do not operate Commercial Motor Vehicle (CMV) illegally. In a worst-case scenario, a conviction may occur the day after the motor carrier obtains the DHR from the State Driver Licensing Agency (SDLA) and the driver does not self-report. In this case, it could be 364 days before the motor carrier becomes aware of the conviction, during which the driver may have been operating a CMV illegally with a suspended or revoked license. By PennDOT offering an ENS program, employers may subscribe and receive timely notifications about changes in a CDL driver's current license status, allowing the employer to take swift and appropriate action regarding the employee and ultimately enhancing safety on the roadways.

To implement an ENS to timely send automated notifications to a motor carrier when there is a change in the status of an employee's CDL for reasons including, but not limited to, a conviction for a moving violation, failure to appear, crash, driver's license suspension, or revocation. This would also include any other action taken against a driver's driving privileges. Implementing an ENS will aid in compliance efforts with 49 CFR 383.31, 383.33, 383.37, 383.51, 391.23, and 391.25, thereby improving the national CDL Program.

- Project 2. Enhance Online Services to Add CDL Renewals and Duplicates (eGov)

The Pennsylvania Department of Transportation (PennDOT) sought Federal grant funding to fund enhancements to expand PennDOT's Online Services to offer Commercial Driver's License (CDL) Renewal and Duplicate driver product services for CDL holders in Pennsylvania.

Today, PennDOT offers several transactional services "online" via PennDOT's Online Driver and

Vehicle services page. This includes but is not limited to non-commercial driver license and photo identification card renewals, duplicates, and the ability to update addresses, vehicle renewals, and the submission of insurance information, as well as providing payment of restoration fees. Offering these services online is beneficial to the public allowing them to complete these transactions 24 hours a day, 7 days a week at their convenience. It is beneficial to the Department as well as it reduces the need to come into PennDOT Driver License centers.

PennDOT has recently made systematic changes to the issuance and renewal of a commercial driver's license which will now allow for the renewal and purchase of duplicate CDL driving products to be completed online. These services will allow CDL holders to complete these transactions, which are essential to maintain a valid driving product, from anywhere at any time. This grant funding would be used to make additional system changes which would now allow these CDL transactions to be offered online.

The funding provided by FMCSA will go toward systems changes in respect to enhancements made to PennDOT's Online Driver and Vehicle Services which will allow commercial driver license (CDL) holders to complete renewal transactions and purchase a duplicate CDL driving product online.

- Project 3. iPad CDL Mobile Test Application Enhancements

The Pennsylvania Department of Transportation (PennDOT) sought Federal grant funding to assist with enhancing the iPad CDL Mobile Testing Application to allow for uploading of photos, capturing of customer test related and required documents, and GPS test tracking information to customer records during Commercial skills and road testing. Currently all state examiners use a PennDOT created CDL Mobile Test App on iPads to administer commercial skills and road testing. When testing is administered, the examiner scores using the iPad and CDL Mobile Test App. A commercial score sheet is created (DL403CD) as part of the testing process and becomes part of the customer's record. Examiners, however, do not have the ability to upload documents or photos during testing using the iPad Test Application such as, but not limited to, learner's permits, driver's licenses, vehicle registrations, insurance information, vehicle photos, etc. Additionally, while the iPads are connected devices through both PennDOT Wi-Fi or cellular service and device GPS information is available, it is not tracked and documented during testing. This enhancement will allow for GPS mapping to be uploaded to the customer's record. This project would also provide enhanced auditing capabilities to PennDOT with the added ability to review the uploaded documents and GPS mapping.

PennDOT is tasked with ensuring the integrity of the CDL testing process. This project is aimed at enhancing the ability to audit and validate documents provided during testing, review photos uploaded of vehicle types, VINs, or related to errors, and use of approved test routes during commercial skills and on-road testing. Currently this information is not captured during the testing process.

The iPads have a GPS tracking mechanism that PennDOT will use to create GPS mapping of all testing administered so that PennDOT auditors (for auditing purposes) can ensure that examiners are using the approved testing route during the exam. The desired enhancements for iPad provide another method to ensure the integrity of the testing process.

## **FY 2022 CDL PROGRAM IMPROVEMENT GRANT FM-CDL-0497-22-01-00**

Driver and Vehicle Services, Bureau of Driver Licensing has a current DOT/FMCSA grant to improve the Commercial Driver's License (CDL) program. This grant is funding a total of three (3) projects.

- Project 1. Drug and Alcohol Clearinghouse

The Pennsylvania Department of Transportation (PennDOT) sought Federal grant funding to assist with the implementation of the Drug and Alcohol Clearinghouse (DACH). On December 5, 2016, FMCSA issued a Final Rule which established requirements for the Commercial Driver's License DACH, a database under the FMCSA's administration that contains information about violations of FMCSA's drug and alcohol testing program for the holders of commercial driver's licenses (CDLs). The goal of the DACH is to improve roadway safety by identifying commercial motor vehicle (CMV) drivers who have committed drug and alcohol violations that render them ineligible to operate a CMV.

On October 7, 2021, a subsequent Final Rule was issued which requires States Driver Licensing Agencies (SDLAs) to access and use information obtained through the DACH. SDLAs must not issue, renew, upgrade, or transfer a commercial driver's license (CDL), or commercial learner's permit (CLP), as applicable, for any individual prohibited under FMCSA's regulations from performing safety-sensitive functions, including driving a commercial motor vehicle (CMV), due to one or more drug and alcohol program violations, which would be recorded in the DACH. Furthermore, when notified by FMCSA's DACH system, SDLAs must remove the CLP or CDL privilege from the driver's license of an individual subject to the CMV driving prohibition, which would result in a downgrade of the license until the driver complies with return-to-duty (RTD) requirements. The date by which SDLAs must comply is November 18, 2024. In order to comply with the requirements of the DACH Final Rule, PennDOT must make changes to its Driver License systems.

- Project 2. Medical Examiners Certification Integration

The Pennsylvania Department of Transportation (PennDOT) sought Federal grant funding to assist with the implementation of the Medical Examiner's Certification (MEC) Integration – National Registry II (NR2) project.

On April 23, 2015, FMCSA issued a Final Rule which requires the electronic transmission of MEC information from FMCSA's National Registry to the State Driver License Agencies (SDLAs). Subsequent Final Rules were issued to extend the compliance date for SDLAs to implement. The most recent Final Rule regarding NR2 was issued on June 22, 2021, and establishes June 23, 2025, as the date by which states must comply with the requirements of NR2. Currently, MECs are presented by the customer to PennDOT and PennDOT must manually process the MEC to the customer's record. The NR2 Final Rule facilitates the electronic transmission of MEC information from FMCSA's National Registry to the SDLAs.

This electronic transmission will reduce manual processing of MECs, which will lead to increased timeliness, reduction in unnecessary downgrades, less errors, and will reduce the potential for the submission of falsified MECs.

- Project 3. Maintenance Needs for Test Pads

The Pennsylvania Department of Transportation (PennDOT) sought Federal grant funding to assist with the Commercial Driver License (CDL) test pad improvements and expansion where able. These improvements include, but are not limited to, CDL test pad maintenance or expansion, sealing, test pad layout, test pad line painting, or props such as cones. This would also include any configuration changes needed as a result of newly approved and deployed Commercial Skills Testing by American Association of Motor Vehicle Administrators (AAMVA) and, ultimately, FMCSA.

#### **FY2021 CDL PROGRAM IMPROVEMENT GRANT FM-CDL- 0469 -21-01-00**

Driver and Vehicle Services, Bureau of Driver Licensing has a current DOT/FMCSA grant to improve the Commercial Driver's License (CDL) program. This grant is funding a total of three (3) projects.

- Project 1. Decoupling Hazmat Endorsement Certification from Commercial Driver's License (CDL) – Project completed.

**The Pennsylvania Department of Transportation (PennDOT) sought Federal grant funding for the decoupling of the Hazardous Material Endorsement (HME) Security Threat Assessment Certification from the Commercial Driver License (CDL) in Pennsylvania. Under 49 CFR § 1572 and Under 49 CFR § 383, a Federal Security Threat assessment is required for all individuals who apply for, renew, or transfer a Hazardous Materials Endorsement (HME) on their commercial driver's license (CDL).**

Today in PennDOT's system, the expiration of the HME Security Threat Assessment Certification is coupled to the expiration of a standard CDL driving product which has a validity period of four years. This has become problematic for a customer who opts into REAL ID. At the time a customer opts into REAL ID, depending on the product expiration at time of opt-in, their product could receive a product expiration date that extends more than four years and can have a maximum validity of eight years, which would no longer match the HME Security Threat Assessment Certification expiration. Additionally, the decoupling of the HME Security Threat Assessment Certification from the CDL product will allow customers the full benefit of the five years that an HME Security Threat Assessment Certification is valid. This will also enhance and benefit those customers transferring a CDL from another jurisdiction with a Hazmat Endorsement and valid threat assessment into Pennsylvania.

- Project 2. PennDOT CDL Training and Testing Course (Project Completed)

The Pennsylvania Department of Transportation (PennDOT) sought Federal grant funding to provide one (1) training and testing course for Department staff. The CDL Training and Testing Course will be provided by a third-party vendor and cover commercial driver license (CDL) testing and training knowledge needed to ensure proper program oversight of all CDL testing in Pennsylvania. This training will be provided for one CDL Compliance Manager, one CDL Third-Party Program Manager, six Field Auditors (FA), one Driver Improvement and Evaluation Section Manager, and three Bureau of Driver Licensing (BDL) field employees, who conduct CDL testing. This training will be referred to as the CDL Training and Testing Course.



The CDL Compliance and Third-Party Program Managers are responsible for the training of all Third-Party Testers (TPT), Third-Party Examiners (TPE), and all Driver License CDL Examiners (DLE) from across the state. The CDL Compliance Manager oversees all six Field Auditors. The Field Auditors are responsible for auditing all TPT, TPE, and DLE CDL testing across the Commonwealth and will aid with hands-on knowledge checks before new examiners will be permitted to test on their own. The three BDL field employees will serve as CDL testing subject matter experts to assist the BDL in day-to-day CDL testing operations at the 26 state CDL testing facilities across the state.

This training will be critical in ensuring that all testing standards are being completed to all Federal Motor Carrier Safety Administration (FMCSA) regulations and standards found in 49 CFR 383.

- Project 3. Translation of CDL Manual into Multiple Languages

The Pennsylvania Department of Transportation (PennDOT) sought Federal grant funding to assist with the translation costs associated with translating the Commercial Driver's License (CDL) Manual into 16 additional languages (Arabic, Burmese, Chinese (Mandarin), French, Greek, Hindi, Italian, Japanese, Korean, Nepali, Polish, Russian, Somali, Spanish, Ukrainian, Urdu, and Vietnamese).

Since the original submission of the Grant Request, PennDOT has added several more languages to its commercial knowledge testing equipment as a result of PennDOT's ongoing commitment to ensuring all individuals requesting services provided by the Department, including those with Limited English Proficiency, have meaningful access to services. In addition to the sixteen (16) above and originally submitted, PennDOT will also be translating the "revised" CDL Manual into Albanian, Amharic, Bengali, Bosnian, Cambodian, Dari, Farsi, Gujarati, Haitian Creole, Mandinka, Pashto, Portuguese, Punjabi, Swahili, and Turkish.

PennDOT gained FMCSA approvals to utilize the grant funding in whole, and approved for the purpose of all CDL Manual translations with the understanding that PennDOT will not be changing the original scope of the submission and the sixteen (16) originally detailed in the submission will be completed in full. PennDOT will be covering all costs above and beyond the Federal grant funding approval.

PennDOT currently has the Commercial Driver Manual available in English and Spanish.

PennDOT is committed to ensuring all individuals requesting services provided by the Department, including those with Limited English Proficiency, have meaningful access to services. PennDOT works to ensure that LEP individuals are not excluded from programs. PennDOT continues to evaluate its programs, services, and activities to ensure persons who may be of Limited English Proficiency (LEP) are always provided with meaningful access to PennDOT programs. PennDOT's LEP Plan includes procedures aimed at identifying LEP persons and ensuring that they have equal access to PennDOT services and activities.

### **FY2020 CDL PROGRAM IMPROVEMENT GRANT FM-CDL- 0424 -20-01-00**

Driver and Vehicle Services, Bureau of Driver Licensing has a current DOT/FMCSA grant to improve the Commercial Driver's License (CDL) program. This grant is funding a total of one (1) project.

- Project 1. Medical Examiner's Certificate (Manual Processing)

The Pennsylvania Department of Transportation (PennDOT) sought Federal grant funding to assist with the staffing costs associated with the processing of Medical Examiner's Certificates for CDL holders who operate in Non-Excepted Intrastate and Non-Excepted Interstate commerce. 49 CFR 383.73 requires State Driver Licensing Agencies to post the Medical Examiner's Certificate to the CDL holder's CDLIS driver record within 10 days of receipt.

### **FY2020 CDL PROGRAM IMPROVEMENT GRANT FM-CDL- 0425 -20-01-00**

Driver and Vehicle Services, Bureau of Driver Licensing has a current DOT/FMCSA grant to improve the Commercial Driver's License (CDL) program. This grant is funding a total of one (1) project.

- Project 1. Extend CDL Coordinator and CDL Data Quality (Consultant Positions)

The Pennsylvania Department of Transportation (PennDOT) sought Federal funding to continue to fund the CDL Coordinator (FY2017 FMCSA Grant) and CDL Data Quality Consultant (FY2018 FMCSA Grant) and two Clerk 3 employees (FY2018 FMCSA Grant). The Clerk 3 positions work solely on Commercial Driver's License Information System (CDLIS) data quality issues. Both the CDL Coordinator and CDL Data Quality Consultant positions were hired through a vendor in the Fall of 2019 and the Clerk 3s were hired by PennDOT directly.

The CDL Coordinator position serves as the liaison between PennDOT and the Federal Motor Carrier Safety Administration (FMCSA). This position also works to ensure compliance with FMCSA rules and regulations, reviews and analyzes Notice of Proposed Rule Making (NPRMS), and identifies their impacts. This position also serves as the subject matter expert when working with business and technical resources to develop requirements necessary to implement new processes and system enhancements as required by new FMCSA regulations. The CDL Coordinator also monitors and is involved in all day-to-day activities regarding the PA CDL program. The Data Quality Consultant oversees the review, analysis, and resolution of potential, as well as the cleanup of existing, CDLIS problems identified in AAMVA and FMCSA reports.

### **FY2020 CDL PROGRAM IMPROVEMENT GRANT FM-CDL- 0582-24-01-00**

Driver and Vehicle Services, Bureau of Driver Licensing has a current DOT/FMCSA grant to improve the Commercial Driver's License (CDL) program. This grant is funding a total of two (2) projects.

- Project 1. Staffing for CDL Training

Pennsylvania Department of Transportation sought Federal grant funding for additional CDL training positions. Currently, PennDOT auditors provide the training that they are also auditing. Having CDL training positions will allow PennDOT's auditors to resolve any potential c

ntial conflict and become more objective in order to submit unbiased audits of CDL examiners on their testing ability. The positions conduct a complete and thorough review of all current CDL training requirements required by state and federal regulations/laws/proposed rules, etc. to provide the most up-to-date training for new and current CDL examiners.

- Project 2. Online CDL Driver Records Portal

Pennsylvania Department of Transportation sought Federal grant funding for the implementation of an Online CDL Driver Records Portal. The portal will allow CDL holders to easily access and monitor, in real-time, 24 hours a day, 7 days a week, CDL information such as issue and expiration dates, certification expiration dates, and Drug and Alcohol Clearinghouse and REAL ID status, thereby allowing them to keep their CDL certifications up to date.

### **FY 2024 FMCSA HP-ITD GRANT PROGRAM**

PA Department of Transportation, Bureau of Operations applied for and was awarded a \$1,434,560 grant under the 2024 FMCSA HP-ITD Grant Program for activities related to the Innovative Technology Deployment (ITD) program. This program provides funding for states to plan and implement cutting-edge technology projects to reduce commercial motor vehicle crashes, increase highway safety, and improve efficiency for both the industry and state authorities. Using consultant support with ITD program experience, PennDOT will complete grant-funded work in partnership with other stakeholders including the PA State Police. The federal funding period for the grant is September 1, 2024 through September 30, 2028.

### **FY 2025 FMCSA HP-CMV GRANT PROGRAM**

PA Department of Transportation, Bureau of Operations is looking to apply for funds for the 2025 FMCSA HP-CMV Grant Program for a CMV-related educational program. The purpose of the pursuit of this grant is for PennDOT to pass the funds to reimburse a non-profit partner to act as a sub-grantee (the Pennsylvania Motor Truck Association) who will lead an effort to help develop and implement a public awareness and education campaign for motorists. This will aid in educating motorists on how to drive safely around commercial vehicles. Should the Bureau of Operations receive grant funding, they are committed to obtain a Title VI Program Compliance Plan from the sub-grantee using the FMCSA Title VI Program Compliance Plan Checklist.

### **CMV INSPECTION SELECTION & UNBIASED ENFORCEMENT POLICIES**

PennDOT works with the Pennsylvania State Police who conduct these inspections on behalf of the Department. This section is not applicable to PennDOT as PennDOT does not conduct these enforcement activities.

**The United States Department of Transportation**

**Standard Title VI/Non-Discrimination Assurances**

**DOT Order No. 1050.2A**

The Pennsylvania 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, including any amendments thereto (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.



## 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, or disability, 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. Part 21.23 (b) and 21.23 (e), including any amendments thereto, 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 Pennsylvania 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, or disability, 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.

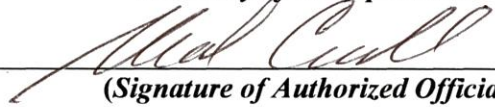
By signing this ASSURANCE, the Pennsylvania Department of Transportation also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the **FMCSA** access to records, accounts, documents, 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 Pennsylvania 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 Pennsylvania, 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.

Michael Carroll

*Secretary of Transportation*

by



*(Signature of Authorized Official)*

DATED 5/14/25



## 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, or disability, 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, including any amendments thereto.
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, or disability.
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 included 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 Pennsylvania Department of Transportation will accept title to the lands and maintain the project constructed thereon in accordance with Title 23, United States Code, 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, including any amendments thereto, 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 Pennsylvania Department of Transportation 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 Pennsylvania Department of Transportation 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 Pennsylvania Department of Transportation, its successors and assigns.

The Pennsylvania Department of Transportation, 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, or disability, 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 Pennsylvania Department of Transportation 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, including any amendments thereto, 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 Pennsylvania Department of Transportation 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, or disability, 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, the Pennsylvania Department of Transportation 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 Pennsylvania Department of Transportation 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 Pennsylvania Department of Transportation and its assigns.\*

(\*Reverter 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 into by the Pennsylvania Department of Transportation 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, or disability, 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, or disability, 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, the Pennsylvania Department of Transportation 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, the Pennsylvania Department of Transportation will there upon revert to and vest in and become the absolute property of the Pennsylvania Department of Transportation and its assigns.\*

(\*Reverter 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. Part 21.1 *et seq.*, including any amendments thereto, 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);
- 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.*).



# DISCRIMINATION COMPLAINT FORM

Name		Phone		Name of Person(s) That Discriminated Against You			
Address (Street No., P.O. Box, Etc.)				Location		Position of Person (If Known)	
City		State	Zip	City		State	Zip
Discrimination Because of: <input type="checkbox"/> Race/Color* <input type="checkbox"/> Sex <input type="checkbox"/> Disability** <input type="checkbox"/> Age <input type="checkbox"/> National Origin* <input type="checkbox"/> Retaliation <input type="checkbox"/> Religion				Date(s) of Alleged Incident(s)			

Explain as briefly and clearly as possible what happened and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently than you. Also, attach any written material pertaining to your case.

Signature	Date
-----------	------

**Please submit this form to one of the following agencies:**

<p><b>Pennsylvania Department of Transportation</b></p> <p>Bureau of Workforce and Business Opportunity</p> <p>P.O. Box 3251 Harrisburg, PA 17105-3251 Phone: (717) 787-5891</p> <p>Email: penndotreports@pa.gov</p>	<p><b>Federal Highway Administration</b></p> <p>U.S. Department of Transportation Equal Opportunity Specialist</p> <p>Pennsylvania Division Office 30 North Third Street, Suite 700 Harrisburg, PA 17101</p> <p>Phone: (717) 221-3461</p>	<p><b>U.S. Department of Justice</b></p> <p>Civil Rights Division 950 Pennsylvania Avenue, NW Washington, DC 20530-0001</p> <p>Phone: (202) 514-3847 Phone (Toll Free): 1 (855) 856-1247 Phone (TDD): (202) 514-0716</p>
--	---	--

\* indicates is specific to Title VI of the Civil Rights Act of 1964    \*\*indicates is specific to Americans with Disabilities Act of 1990

# **GLOBAL ARENA HANDBOOK FOR PENNDOT USERS**

---



## Table of Contents

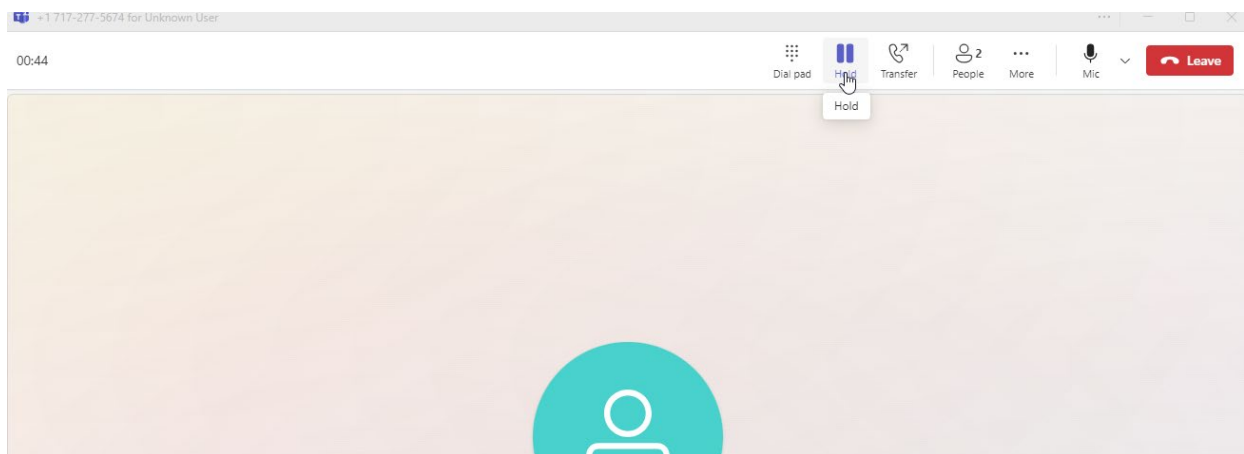
Merging a Call in Microsoft Teams.....	3
Using Global Arena.....	5
Bureau Codes.....	6
Top Translation Tips.....	10

# Merging a Call in Microsoft Teams

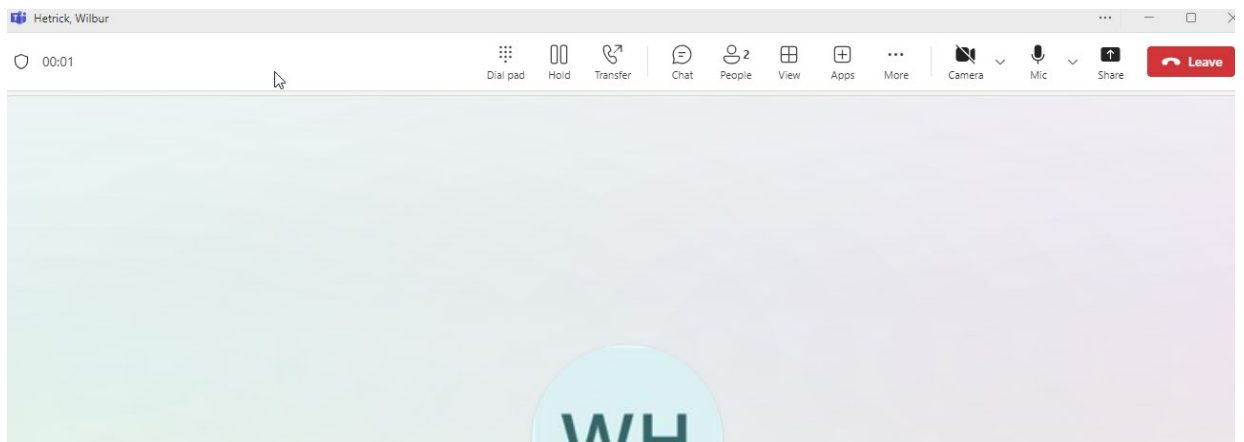
Step 1: Pickup incoming constituent call.



Step 2: Place constituent on hold after a brief introduction.

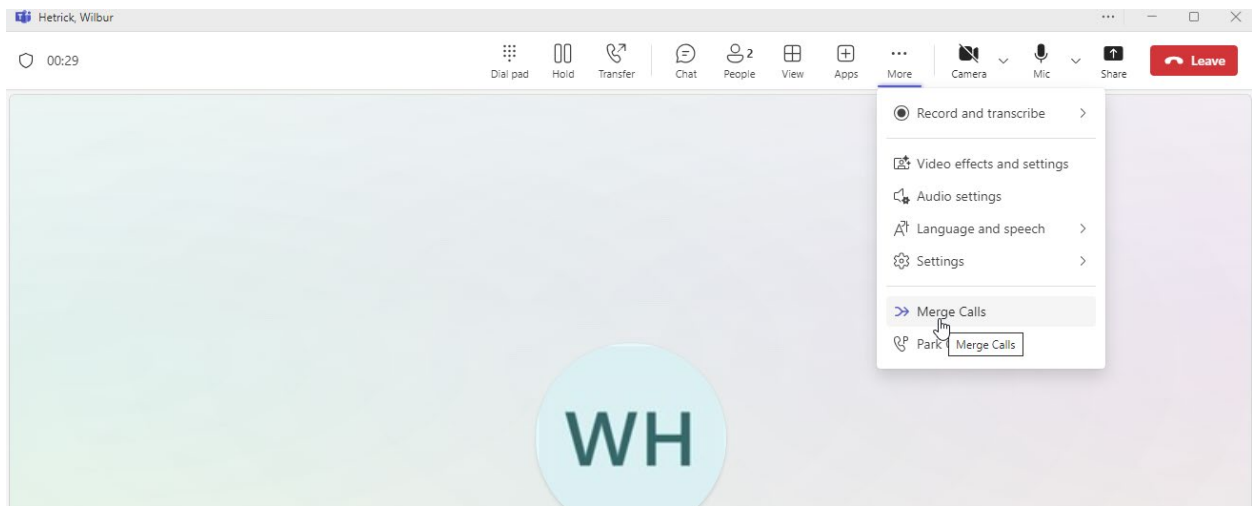


Step 3: Place outgoing call to Global Arena. Your dial pad will function at this time.



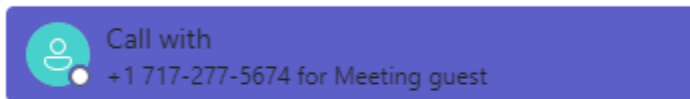


Step 4: Merge Global Arena with original on-hold constituent call.



Step 5: Finalize merge with verification of who you are merging with.

### Choose a call to merge



Step 6: A three-way call is now setup; you will not be able to use the dial pad after the merge is completed.

## **Global Arena Telephonic Interpreting Users' Guide for Landlines/Microsoft Teams**

1. Call **(484) 799-9240**. Service is available 24/7/365.
2. Enter **40184168** followed by #.
3. Select the **language**. Please select the language by either speaking it or entering the first 3 letters of the language followed by #
4. Enter your PennDOT **Bureau Code** (on next page) followed by the # Sign.
5. You will be asked if the person needing interpretation is with you. If yes, you can either say "Skip" or press \* followed by # to continue. If you need the system to call the person in need of interpretation services, you can do it at this time by entering their phone number including country code. However, we recommend that you first engage the interpreter, explain to them the reason for the call and request the interpreter to call the non-English speaking person.
6. You will be connected with an interpreter.
7. Introduce yourself and instruct the interpreter on how to proceed.

Note: You are able to make third party phone calls within the US but this feature is subject to an extra charge per minute. Once you connect with your interpreter, s/he can connect the third party.

### **If you have any issues, please...**

**...hang up and re-dial (484) 799-9240.** If the problem persists, please contact Global Arena's customer support team at (215) 735-1055 or [interpreting@globalarena.com](mailto:interpreting@globalarena.com)

## Bureau Codes

<b>Organization Number</b>	<b>Counties / Districts / Bureaus / Deputates</b>
<b>0810</b>	Adams County
<b>3000</b>	Administration Deputate
<b>1110</b>	Allegheny County
<b>1010</b>	Armstrong County
<b>4950</b>	Asset Management Division
<b>4951</b>	Asset Management Division Chief's Office
<b>1120</b>	Beaver County
<b>0910</b>	Bedford County
<b>0510</b>	Berks County
<b>0920</b>	Blair County
<b>0390</b>	Bradford County
<b>4955</b>	Bridge Asset Management Section
<b>4830</b>	Bridge Design and Technology Division
<b>4831</b>	Bridge Design and Technology Division Chief's Office
<b>4954</b>	Bridge Inspection Section
<b>4832</b>	Bridge Quality Assurance Section 1
<b>4833</b>	Bridge Quality Assurance Section 2
<b>4834</b>	Bridge Quality Assurance Section 3
<b>0610</b>	Bucks County
<b>6100</b>	Bureau of Aviation
<b>3700</b>	Bureau of Business Solutions and Services
<b>3600</b>	Bureau of Equal Opportunity
<b>3400</b>	Bureau of Fiscal Management
<b>3200</b>	Bureau of Human Resources
<b>3300</b>	Bureau of Infrastructure and Operations
<b>3900</b>	Bureau of Innovations
<b>3800</b>	Bureau of IT Project Development and Delivery
<b>4900</b>	Bureau of Maintenance and Operations
<b>5400</b>	Bureau of Municipal Services
<b>3500</b>	Bureau of Office Services
<b>5100</b>	Bureau of Planning and Research
<b>4800</b>	Bureau of Project Delivery
<b>6200</b>	Bureau of Public Transportation
<b>6300</b>	Bureau of Rail Freight
<b>1020</b>	Butler County
<b>0930</b>	Cambria County
<b>0240</b>	Cameron County
<b>0201</b>	Cameron County Repair Facility
<b>0520</b>	Carbon County
<b>5200</b>	Center for Program Dev. and Mgmt.

<b>0210</b>	Centre County
<b>0620</b>	Chester County
<b>4250</b>	Chief Engineer Highway Administration
<b>1030</b>	Clarion County
<b>0220</b>	Clearfield County
<b>0230</b>	Clinton County
<b>0310</b>	Columbia County
<b>2800</b>	Communications and Customer Relations
<b>4816</b>	Construction QA Section
<b>4825</b>	Contract Management Section
<b>0110</b>	Crawford County
<b>0820</b>	Cumberland County
<b>0850</b>	Dauphin County
<b>0630</b>	Delaware County
<b>7000</b>	Deputy Secretary for Driver and Vehicle Services
<b>6000</b>	Deputy Secretary for Multimodal Transportation
<b>0100</b>	District 1-0 Office
<b>1000</b>	District 10-0 Office
<b>1100</b>	District 11-0 Office
<b>1200</b>	District 12-0 Office
<b>0200</b>	District 2-0 Office
<b>0300</b>	District 3-0 Office
<b>0400</b>	District 4-0 Office
<b>0500</b>	District 5-0 Office
<b>0600</b>	District 6-0 Office
<b>0800</b>	District 8-0 Office
<b>0900</b>	District 9-0 Office
<b>7200</b>	Driver Licensing
<b>7300</b>	Driver/Vehicle Program Services
<b>0280</b>	Elk County
<b>4936</b>	Emergency and Incident Management Section
<b>4823</b>	Environmental Policy and Development Section
<b>0120</b>	Erie County
<b>1210</b>	Fayette County
<b>4914</b>	Fleet Advisors/Repairs/Rebuilds Section
<b>4910</b>	Fleet Management Division
<b>4911</b>	Fleet Management Division Chief's Office
<b>0130</b>	Forest County
<b>0830</b>	Franklin County
<b>0940</b>	Fulton County
<b>4815</b>	Geotechnical Section
<b>1220</b>	Green County
<b>4000</b>	Highway Administration Deputate
<b>4820</b>	Highway Delivery Division
<b>4821</b>	Highway Delivery Division Chief's Office
<b>4822</b>	Highway Design and Technology Section
<b>4940</b>	Highway Safety and Traffic Operations Division

<b>4941</b>	Highway Safety and Traffic Operations Division Chief's Office
<b>4944</b>	Highway Safety Section
<b>0950</b>	Huntingdon County
<b>1040</b>	Indiana County
<b>4810</b>	Innovation and Support Services Division
<b>4811</b>	Innovation and Support Services Division Chief's Office
<b>1050</b>	Jefferson County
<b>0290</b>	Juniata County
<b>4814</b>	Laboratory Testing Section
<b>0420</b>	Lackawanna County
<b>0870</b>	Lancaster County
<b>1140</b>	Lawrence County
<b>0880</b>	Lebanon County
<b>0530</b>	Lehigh County
<b>0430</b>	Luzerne County
<b>0320</b>	Lycoming County
<b>4920</b>	Maintenance Performance Division
<b>4921</b>	Maintenance Performance Division Chief's Office
<b>4930</b>	Maintenance Technical Leadership Division
<b>4931</b>	Maintenance Technical Leadership Division Chief's Office
<b>0250</b>	McKean County
<b>0140</b>	Mercer County
<b>0270</b>	Mifflin County
<b>0540</b>	Monroe County
<b>0640</b>	Montgomery County
<b>0330</b>	Montour County
<b>7100</b>	Motor Vehicles
<b>4813</b>	New Products and Innovation Section
<b>0550</b>	Northampton County
<b>0340</b>	Northumberland County
<b>7400</b>	Office Info/Fiscal Services
<b>2200</b>	Office of Chief Counsel
<b>2700</b>	Office of Legislative Affairs
<b>7500</b>	Office of Risk Management
<b>2000</b>	Office of Secretary
<b>4913</b>	Operator and Equipment Training
<b>4952</b>	Pavement Testing and Asset Management Section
<b>0890</b>	Perry County
<b>0650</b>	Philadelphia County
<b>4812</b>	Photogrammetry and Surveys Section
<b>0440</b>	Pike County
<b>5000</b>	Planning Deputate
<b>4923</b>	Plant Maintenance Support/CMMT/CMP Section
<b>4924</b>	Plant Maintenance Trouble Shooting/RMA Section
<b>2010</b>	Policy Office
<b>0260</b>	Potter County
<b>2300</b>	Press Office

<b>4826</b>	Project Schedules, Specifications and Constructability Section
<b>2400</b>	Public-Private Transportation Partnership Office
<b>4824</b>	Right of Way and Utilities Section
<b>4922</b>	RMA Training Section
<b>4932</b>	Roadway Maintenance Programs Section
<b>0560</b>	Schuylkill County
<b>0350</b>	Snyder County
<b>0970</b>	Somerset County
<b>4912</b>	Specifications and Buying Section
<b>4935</b>	Strategic Environmental Management Program Section
<b>4835</b>	Structural Materials Section
<b>0360</b>	Sullivan County
<b>0450</b>	Susquehanna County
<b>4817</b>	Systems Management Section
<b>0370</b>	Tioga County
<b>3910</b>	Tourism Services Office
<b>4943</b>	Traffic Engineering and Permits Section
<b>4942</b>	Traffic Operations Section
<b>4945</b>	Traffic Signal and Arterial Management Section
<b>1130</b>	Tunnels
<b>0380</b>	Union County
<b>0150</b>	Venango County
<b>0160</b>	Warren County
<b>1240</b>	Washington County
<b>0460</b>	Wayne County
<b>1250</b>	Westmoreland County
<b>4933</b>	Winter Section
<b>0470</b>	Wyoming County
<b>0840</b>	York County

## **Top Translation Tips**

1. Do not refer to the constituent in the third person. For example, avoid saying things to the interpreter like “tell the customer...” and instead speak directly to the constituent as if there were no language barrier.
2. Use normal tone and pace. No need to speak louder or more slowly.
3. Be sure to pause to give the interpreter time to interpret, the constituent time to respond, and the interpreter time to interpret the constituent back to you in English.
4. The interpreter will interpret everything you say, so don’t say anything that you don’t want the customer to hear.
5. Try to avoid contractions (can’t vs. cannot), acronyms (DVS vs. Driver and Vehicle Services), colloquialisms (he’d talk the hind legs off a donkey), slang, puns, idioms, or humorous wordplay as they take longer to translate and can lead to confusion.
6. Minimize background noise, conversation, and distractions wherever possible.
7. Only one person should be speaking at a time. Overlapping speaking cannot be interpreted effectively.

**For more information, please visit:**

<https://www.dccourts.gov/sites/default/files/divisionspdfs/Dos-and-Donts-When-Working-With-an-Interpreter.pdf>



Pennsylvania  
Department of Transportation

2022

# Four Factor Analysis Report for Limited English Proficiency

Prepared by Joshua Bartash,  
Title VI Program Specialist  
May 2022





---

## Four Factor Analysis and Available Contracts and Resources

The Department currently maintains the following information, processes and resources to address reasonable modification and accommodations to respond to LEP customer needs as applied to this four-factor test:

### **Assessment of the Four-Factor Analysis**

Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English can be limited English proficient (LEP), and therefore, are entitled to language assistance under Title VI of the Civil Rights Act of 1964 with respect to a particular type of service, benefit, or encounter. Title VI, Executive Orders and their related regulations require PennDOT and all of its operating divisions to take reasonable steps to ensure “meaningful” access to their programs and activities by LEP persons. As a federally funded agency, PennDOT’s failure to provide access to anyone that is a LEP individual could be considered discrimination under Title VI of the Civil Rights Act of 1964, whether the program or activity is federally funded or not. The following is the four-factor analysis guiding the implementation of the LEP access requirement by all that receive federal financial assistance:

- Factor 1. The number or proportion of LEP persons served or likely to be encountered on PennDOT projects.
- Factor 2. The frequency with which LEP individuals come in contact with the program, activity or service.
- Factor 3. The nature and importance of the program, activity, or service provided by the program.
- Factor 4. Determine the Resource Available to the Recipient and Costs.

This four-factor analysis necessarily implicates the “mix” of LEP services required. PennDOT has two main ways to provide language services: Oral interpretation, either in person or via telephone interpretation service, and written translation. Oral interpretation can range from onsite interpreters for critical services provided to a high volume of LEP persons to access through commercially available telephonic interpretation

services. Written translation can range from translation of an entire document or a short description of the document (synopsis). In some cases, language services may be required on an expedited basis.

The goal of PennDOT's LEP policy is to develop a comprehensive program document. The document must be easily understood and outline the whole Department's LEP program goals. The plan must outline actions that seek to ensure federal requirements are evaluated and LEP needs are addressed.

PennDOT's LEP Plan is currently available on the Department's website as a PDF and is also available as web-content which can be translated into multiple languages through Google Translate:

<https://www.penndot.gov/about-us/EqualEmployment/Pages/Limited-English-Proficiency.aspx>

**Factor 1. The number or proportion of LEP persons served or likely to be encountered on PennDOT projects:**

This information is obtained through the 2020 U.S. Census through the American Community Survey (ACS). Unfortunately, the data obtained by federal authorities during the 2020 Census did not provide the level of detail provided in earlier analysis and lumped disparate languages into "groups" instead of providing the specific language as provided in the past. As such, the Department was still able to derive the necessary LEP data from the U.S. Census' statewide demographics, but this showed a substantial decrease in specific languages meeting threshold numbers state-wide and the LEP data broken down by County lacked even more of the detail provided in the statewide data.

One fascinating outcome of the statewide analysis showed that the languages that reach "Safe Harbor" thresholds statewide are also the same threshold languages for Philadelphia County and the Delaware Valley Regional Planning Commission (DVRPC) MPO.

The Department utilizes U.S. Department of Transportation (DOT) regulatory guidance which defines LEP as those whose ability to read, speak, write and understand English is "less than very well." For this reason, the Department searched the ACS database for "LANGUAGE SPOKEN AT HOME BY ABILITY TO SPEAK ENGLISH FOR THE POPULATION 5 YEARS AND OVER," based on "less than very well."



The following language(s) groups were identified as meeting or exceeding the “1,000 individuals or 5%” of the state-wide population thresholds in the ACS data:

Spanish

Arabic

Chinese (Mandarin/Cantonese)

French (Including French Creole and French Haitian)

Greek

Hindi

Italian

Japanese

Korean

Polish

Russian

Ukrainian

Urdu

Vietnamese

Serbian/Croatian/Bosnian

Tagalog

Laotian

German

Persian/Dari/Farsi/Pashto

Gujarati

Mon-Khmer

Thai

Portuguese

The Department has identified at least 28 languages meeting the “Safe Harbor” threshold requiring proactive efforts to provide meaningful access. The Department conducted this demographic analysis based on state-wide statistics instead of regional data, as the services provided by Driver’s and Vehicle Services (DVS) are done so statewide. For those instances where DVS engages in a regional project or activity, more regionalized analysis may be required using the DHS LEP web data.

**Factor 2. The frequency with which LEP individuals come in contact with the program, activity or service:**

Per regulatory guidance, the Department is tasked with maintaining logs of actual encounters with LEP members of the public, through public surveys, outreach to LEP advocacy organizations and LEP accommodation requests. The Department also utilizes an over-the-phone interpretation service, Propio Language Services, retained through an inter-departmental contract which provides monthly logs to the Department showing a breakdown of LEP calls made to all program areas and Deputates Commonwealth-wide.

Based on a log of LEP accommodation requests maintained by the Bureau of Equal Opportunity (BEO) issued within the past two years (beginning on January 1, 2020) and an annual survey issued to all of the Department’s Bureaus in late 2019, Spanish is the principle language group encountered with the greatest number of accommodation requests followed by Russian, Mandarin Chinese and Braille (although not technically a separate language group, those who use Braille and American Sign Language (ASL) as their primary means of communication, fall within the strict definition of those whose ability to read, write or understand English is “less than very well”).

Currently, all of the Departmental program areas are maintaining logs of LEP encounters and accommodation requests and DVS will be working to enhance its LEP logs and staff training to improve this process. Currently, DVS has been exclusively logging when customers are presented with their LEP accommodations for the Driver’s Knowledge Test and when over-the-phone interpretation is requested.

DVS has been recording when Knowledge tests are requested and provided for languages that the test are not yet already translated into, but not for requests for languages already included in the testing databank.

The following list illustrates the 25 most requested language accommodations issued to the Department for the period January 1, 2020 to October 1, 2022, by order of number of requests:



---

Spanish
Russian
Mandarin
Arabic
Portuguese
Vietnamese
Haitian Creole
French
Pashto
Turkish
Cantonese
Dari
Korean
Swahili
Farsi
Nepali
Punjabi
Polish
Urdu
Albanian
Italian
Hindi
Kinyarwanda
Burmese
Ukrainian

---

The Knowledge test is currently made available in 33 languages

**Factor 3. The nature and importance of the program, activity, or service provided by the program:**

The DVS Deputate interacts with the public more frequently than any of the Department's other Bureaus and Deputates. DVS is the most visible Deputate as anyone requiring a Driver's License, vehicle registration, or "Real ID" must visit, take tests, complete forms and interact with DVS staff. Real ID is now vital to all Commonwealth residents, including those who cannot or do not wish to retain a Driver's License. Even though a Driver's License is considered a privilege and not a right under the law, it is still unlawful to treat the public disparately based on national origin or LEP status. In order to reside, work and travel across the many miles in Pennsylvania, a resident must have some form of identification, be it a Driver's License and/or Real ID.

The most vital and widely distributed document maintained by DVS is the Driver's License Manual as anyone interested in retaining a Driver's License must study this text in order to take the Driver's Knowledge and Skills tests. This Manual is currently available as an interactive translatable document on the Department's web site, is available as PDFs in English and 24 additional languages, is available in audio formats in English, and can be obtained at any of the DVS facilities maintained throughout the Commonwealth or through the DVS website. However, as this document is no longer being printed proactively, DVS staff will have to be able to print out copies for customers upon request, therefore printers and printing paper will have to be made available along with detailed guidance for their use.

(English: <https://www.dot.state.pa.us/Public/DVSPubsForms/BDL/BDL%20Manuals/Manuals/PA%20Drivers%20Manual%20By%20Chapter/English/PUB%2095.pdf> Spanish: <https://www.dot.state.pa.us/Public/DVSPubsForms/BDL/BDL%20Manuals/Manuals/PA%20Drivers%20Manual%20By%20Chapter/Spanish/pub%2095s.pdf> )

A digital version of this Manual is also available in 25 other languages including English. Upon request, DVS staff must provide this and other vital documents in the format and language requested. The Department is currently in the process of transitioning the CDL Manual and Motorcycle Manual into HTML formats so the Google Translate feature can be applied. This process is expected to be completed by late March 2023 for the remaining two manuals. This process is currently being applied to the

---

Department's other publicly facing documents based on a schedule of updates maintained by the Bureau of Office Services, Publications and Forms.

**Factor 4. Determine the Resource Available to the Recipient and Costs:**

Most PennDOT Bureaus and Deputates maintain a provisional annual LEP budget to address and provide for LEP accommodations as they are issued. DVS currently maintain an earmarked budget for document translation and over-the-phone interpretation for LEP accommodation requests. These budgets do not account for enhancements to the Knowledge Test, which by estimates could exceed \$20,000 for the inclusion of just one additional language to the test. A Cost Analysis for enhancing the Knowledge test was proposed but never completed. The Department has been applying for and using federal grants specifically earmarked for language enhancements to increase the number of languages available for the Knowledge Tests and translated manuals.

PennDOT currently maintains the following LEP resources:

Bilingual/Multilingual staff (not certified),

Translatable web-content with Google Translate,

Propio Over-the Phone Interpretation and Translation Contract,

Driver's License Manual in English and 24 other languages currently available as digital PDFs and in audio formats, but is now in translatable HTML format and the CDL and Motorcycle Manuals will include translatable HTML versions by 2023,

"Taglines" in all of the Commonwealth's Threshold Languages which can be attached to physical versions of vital communications, and

Digital Knowledge Test available in 33 languages:

English

Albanian

Amharic

Arabic

Bengali

---

Bosnian  
Burmese  
Cambodian  
Dari  
Farsi  
French  
Greek  
Gujarati  
Haitian Creole  
Hindi  
Italian  
Japanese  
Korean  
Mandarin (Chinese)  
Mandinka Arabic  
Nepalese  
Pashto  
Polish  
Portuguese  
Punjabi  
Russian  
Somali  
Spanish  
Swahili  
Turkish  
Ukrainian  
Urdu



---

## Vietnamese

Other vital documents can be transitioned from PDF files to HTML content over time.

If the public request the Knowledge test in a language not already available in the 33 languages, a DLC manager will schedule an appointment with the customer to come in to take the test in the presence of the manager. The manager will then utilize the language line or other electronic assistive translation devices and read the test questions and presented answers to the interpreter over the phone, who will in turn, interpret the content for the customer who will be provided a “hands-free” headset. No “live” interpreters will be permitted to be present during the Knowledge tests.

For LEP requests for the Skills test “walk around,” a list of Volunteer Interpreters can be provided to the customer by DVS staff who can be retained to provide individual interpretation of the Skills test Examiners’ instructions in person for the customer. If the customer cannot locate an available interpreter through the list of Volunteers, DVS permits the customer to identify another qualified interpreter, who can submit a request to DVS on the customer’s behalf to act as an interpreter for the tests. No interpreters will be permitted during the Skills portion of the test but can be used prior and subsequent to the test to interpret the Examiners instructions and provide feedback to the customer. The Examiner may also utilize other electronic assistive translation devices to assist.