



IOWA

Commercial Vehicle Safety Plan

**Federal Motor Carrier Safety Administration's
Motor Carrier Safety Assistance Program**

Fiscal Years 2019 - 2021

Date of Approval: June 27, 2019

FINAL CVSP



**U.S. Department of Transportation
Federal Motor Carrier Safety Administration**

Part 1 - MCSAP Overview

Part 1 Section 1 - Introduction

The Motor Carrier Safety Assistance Program (MCSAP) is a Federal grant program that provides financial assistance to States to help reduce the number and severity of accidents and hazardous materials incidents involving commercial motor vehicles (CMV). The goal of the MCSAP is to reduce CMV-involved accidents, fatalities, and injuries through consistent, uniform, and effective CMV safety programs.

A State lead MCSAP agency, as designated by its Governor, is eligible to apply for grant funding by submitting a commercial vehicle safety plan (CVSP), in accordance with the provisions of [49 CFR 350.201](#) and [205](#). The lead agency must submit the State's CVSP to the FMCSA Division Administrator on or before August 1 of each year. For a State to receive funding, the CVSP needs to be complete and include all required documents. Currently, the State must submit a performance-based plan each year to receive MCSAP funds.

The FAST Act required the Federal Motor Carrier Safety Administration (FMCSA) to “prescribe procedures for a State to submit a multiple-year plan and annual updates thereto, under which the State agrees to assume responsibility for improving motor carrier safety by adopting and enforcing State regulations, standards, and orders that are compatible with the regulations, standards, and orders of the Federal Government on commercial motor vehicle safety and hazardous materials transportation safety.”

The online CVSP tool (eCVSP) outlines the State's CMV safety objectives, strategies, activities and performance measures and is organized into the following five parts:

- Part 1: MCSAP Overview
- Part 2: Crash Reduction and National Program Elements (FY 2019 - 2021)
- Part 3: National Emphasis Areas and State Specific Objectives (FY 2019 - 2021)
- Part 4: Financial Information (FY 2019)
- Part 5: Certifications and Documents

You will find that each of the five eCVSP parts listed above contains different subsections. Each subsection category will provide you with detailed explanation and instruction on what to do for completing the necessary tables and narratives.

The MCSAP program includes the eCVSP tool to assist States in developing and monitoring their grant applications. The eCVSP provides ease of use and promotes a uniform, consistent process for all States to complete and submit their plans. States and territories will use the eCVSP to complete the CVSP and to submit a 3-year plan or an Annual Update to a 3-year plan. As used within the eCVSP, the term ‘State’ means all the States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, and the Virgin Islands.

REMINDERS FOR FY 2019:

Multi-Year plans—For FY 2019, all States will be utilizing the multi-year CVSP format. This means that objectives, projected goals, and activities in the plan will cover a full three-year period. The financial information and certifications will be updated each fiscal year.

Annual Updates for Multi-Year plans—Those States in Year 2 or Year 3 of a multi-year plan will be providing an Annual Update only. States will be able to review the project plan submitted in the previous year and indicate whether anything needs to be updated for the upcoming fiscal year via a Yes/No question provided in each Section of Parts 1-3. **NOTE: Answer carefully as there is one opportunity to check Yes/No and then the input is locked.**

- If Yes is indicated, the information provided for previously will be editable and State users can make any necessary changes to their project plan. (Note: Trend information that supports your current activities is not editable.)
- If No is indicated, then no information in this section will be editable and the user can move forward to the next section.
- The financial information and certifications will be updated each fiscal year.

All multi-year and annual update plans have been pre-populated with data and information from their FY 2018 plans. States must carefully review and update this information to reflect FY 2019 activities prior to submission to FMCSA.

States are reminded to **not** include any personally identifiable information (PII) in the CVSP. The final CVSP approved by FMCSA is required to be posted to a public FMCSA website.

Personally Identifiable Information – PII is information which, on its own or matched with other data, would permit identification of that individual. Examples of PII include: name, home address, social security number, driver's license number or State-issued identification number, date and/or place of birth, mother's maiden name, financial, medical, or educational records, non-work telephone numbers, criminal or employment history, etc. PII, if disclosed to or altered by unauthorized individuals, could adversely affect the Agency's mission, personnel, or assets or expose an individual whose information is released to harm, such as identity theft.

Part 1 Section 2 - Mission/Goal Statement**Instructions:**

Briefly describe the mission or goal of the lead State commercial motor vehicle safety agency responsible for administering this Commercial Vehicle Safety Plan (CVSP) throughout the State.

NOTE: *Please do not include information on any other FMCSA grant activities or expenses in the CVSP.*

The State of Iowa is committed to reducing the number of traffic crashes resulting in injury and loss of life with coordinated enforcement efforts focused on commercial vehicle operators, and other vehicles operating in the vicinity of commercial vehicles.

The Iowa Department of Transportation - Office of Motor Vehicle Enforcement, in partnership with the Iowa Department of Public Safety - Iowa State Patrol, will establish and implement effective roadside driver/vehicle inspection and enforcement, educational outreach and New Entrant and Compliance Review programs.

Through the combined efforts of the agencies involved, the goal of the state is to reduce the Iowa commercial motor vehicle fatality-related rate of 0.21 per one-hundred million VMT (recorded in 2016) to 0.19 or less by September 30, 2021.

Data Source: USDOT/FHWA, Highway Statistics

Part 1 Section 3 - MCSAP Structure Explanation**Instructions:**

Briefly describe the State's commercial motor vehicle (CMV) enforcement program funded by the MCSAP grant.

NOTE: *Please do not include activities or expenses associated with any other FMCSA grant program.*

MOTOR VEHICLE ENFORCEMENT (LEAD AGENCY)

Management of the Office of Motor Vehicle Enforcement (MVE) is centralized at the Iowa DOT Motor Vehicle Division building in Ankeny, Iowa.

The MVE team is comprised of 100 full-time positions (99 sworn and 1 civilian) of which 97 are MCSAP Certified and 12 officer positions are currently vacant. MVE anticipates hiring 12 officers during FFY 2019.

Administrative personnel located in the Ankeny Headquarters include the Chief, Assistant Chief, 2 Captains, 2 Lieutenants, MCSAP Manager, Program Analyst and Secretary. The state is divided into five enforcement areas, each supervised by a field Captain. Assigned to the five field enforcement areas are 11 Sergeants and 65 Motor Vehicle Officers. Located strategically across the state are 5 Motor Carrier Investigators and 6 Hazardous Material Specialists.

MCSAP enforcement activities are performed in conjunction with size and weight enforcement activities at 11 fixed site facilities and while on random patrol in all geographic areas of the state. MVE strives to schedule 50 percent of the officers' available time to fixed site facilities.

IOWA STATE PATROL (SUBRECIPIENT):

Iowa State Patrol administrative staff offices are located in Des Moines, Iowa with MCSAP Troopers located strategically across the state. The Iowa State Patrol MCSAP Program consists of 1 Captain, 1 Lieutenant, 1 Sergeant, 14 full-time Troopers, 32 part-time Troopers and 2 civilian support staff. Most full-time Troopers are Level II certified and part-time Troopers are Level III certified.

Enforcement emphasis is placed on the detection of drivers who violate out-of-service orders, identifying drivers involved in criminal activities, seatbelt usage and traffic enforcement. Monitoring of out-of-service drivers by officers has also been emphasized with documented cases referred to FMCSA for further action.

Part 1 Section 4 - MCSAP Structure**Instructions:**

Complete the following tables for the MCSAP lead agency, each subrecipient and non-funded agency conducting eligible CMV safety activities.

The tables below show the total number of personnel participating in MCSAP activities, including full time and part time personnel. This is the total number of non-duplicated individuals involved in all MCSAP activities within the CVSP. (The agency and subrecipient names entered in these tables will be used in the National Program Elements —Roadside Inspections area.)

The national program elements sub-categories represent the number of personnel involved in that specific area of enforcement. FMCSA recognizes that some staff may be involved in more than one area of activity.

Lead Agency Information	
Agency Name:	IOWA DEPARTMENT OF TRANSPORTATION - MOTOR VEHICLE ENFORCEMENT
Enter total number of personnel participating in MCSAP activities	100
National Program Elements	Enter # personnel below
Driver and Vehicle Inspections	97
Traffic Enforcement Activities	97
Investigations*	5
Public Education and Awareness	25
Data Collection and Reporting	3
* Formerly Compliance Reviews and Includes New Entrant Safety Audits	

Subrecipient Information	
Agency Name:	IOWA DEPARTMENT OF PUBLIC SAFETY - IOWA STATE PATROL
Enter total number of personnel participating in MCSAP activities	47
National Program Elements	Enter # personnel below
Driver and Vehicle Inspections	47
Traffic Enforcement Activities	47
Investigations*	0
Public Education and Awareness	0
Data Collection and Reporting	3
* Formerly Compliance Reviews and Includes New Entrant Safety Audits	

Non-funded Agency Information	
Total number of agencies:	1
Total # of MCSAP Participating Personnel:	2

Part 2 - Crash Reduction and National Program Elements

Part 2 Section 1 - Overview

Part 2 allows the State to provide past performance trend analysis and specific goals for FY 2019 - 2021 in the areas of crash reduction, roadside inspections, traffic enforcement, audits and investigations, safety technology and data quality, and public education and outreach.

Note: *For CVSP planning purposes, the State can access detailed counts of its core MCSAP performance measures. Such measures include roadside inspections, traffic enforcement activity, investigation/review activity, and data quality by quarter for the current and past two fiscal years using the Activity Dashboard and/or the CVSP Toolkit on the A&I Online website. The Activity Dashboard is also a resource designed to assist the State with preparing their MCSAP-related quarterly reports and is located at: <http://ai.fmcsa.dot.gov>. A user id and password are required to access this system.*

In addition, States can utilize other data sources available on the A&I Online website as well as internal State data sources. It is important to reference the data source used in developing problem statements, baselines and performance goals/ objectives.

Part 2 Section 2 - CMV Crash Reduction

The primary mission of the Federal Motor Carrier Safety Administration (FMCSA) is to reduce crashes, injuries and fatalities involving large trucks and buses. MCSAP partners also share the goal of reducing commercial motor vehicle (CMV) related crashes.

Trend Analysis for 2013 - 2017

Instructions for all tables in this section:

Complete the tables below to document the State's past performance trend analysis over the past five measurement periods. All columns in the table must be completed.

- Insert the beginning and ending dates of the five most recent State measurement periods used in the Measurement Period column. The measurement period can be calendar year, Federal fiscal year, State fiscal year, or any consistent 12-month period for available data.
- In the Fatalities column, enter the total number of fatalities resulting from crashes involving CMVs in the State during each measurement period.
- The Goal and Outcome columns allow the State to show its CVSP goal and the actual outcome for each measurement period. The goal and outcome must be expressed in the same format and measurement type (e.g., number, percentage, etc.).
 - In the Goal column, enter the goal from the corresponding CVSP for the measurement period.
 - In the Outcome column, enter the actual outcome for the measurement period based upon the goal that was set.
- Include the data source and capture date in the narrative box provided below the tables.
- If challenges were experienced while working toward the goals, provide a brief narrative including details of how the State adjusted the program and if the modifications were successful.

ALL CMV CRASHES

Select the State's method of measuring the crash reduction goal as expressed in the corresponding CVSP by using the drop-down box options: (e.g. large truck fatal crashes per 100M VMT, actual number of fatal crashes, actual number of fatalities, or other). Other can include injury only or property damage crashes.

Goal measurement as defined by your State: Large Truck Fatal Crashes per 100M VMT

If you select 'Other' as the goal measurement, explain the measurement used in the text box provided:

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
01/01/2016	12/31/2016	71	0.18	0.2130
01/01/2015	12/31/2015	62	0.14	0.1870
01/01/2014	12/31/2014	49	0.21	0.1560
01/01/2013	12/31/2013	67	0.14	0.2120
01/01/2012	12/31/2012	60	0.16	0.19

MOTORCOACH/PASSENGER CARRIER CRASHES

Select the State's method of measuring the crash reduction goal as expressed in the corresponding CVSP by using the drop-down box options: (e.g. large truck fatal crashes per 100M VMT, actual number of fatal crashes, actual number of fatalities, other, or N/A).

Goal measurement as defined by your State: N/A

If you select 'Other' or 'N/A' as the goal measurement, explain the measurement used in the text box provided:

The State has not previously identified significant passenger transportation safety problems.

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
01/01/2017	12/31/2017	2		
01/01/2016	12/31/2016	2		
01/01/2015	12/31/2015	1		
01/01/2014	12/31/2014	1		
01/01/2013	12/31/2013	6		

Hazardous Materials (HM) CRASH INVOLVING HM RELEASE/SPILL

Hazardous material is anything that is listed in the hazardous materials table or that meets the definition of any of the hazard classes as specified by Federal law. The Secretary of Transportation has determined that hazardous materials are those materials capable of posing an unreasonable risk to health, safety, and property when transported in commerce. The term hazardous material includes hazardous substances, hazardous wastes, marine pollutants, elevated temperature materials, and all other materials listed in the hazardous materials table.

For the purposes of the table below, HM crashes involve a release/spill of HM that is part of the manifested load. (This does not include fuel spilled from ruptured CMV fuel tanks as a result of the crash).

Select the State's method of measuring the crash reduction goal as expressed in the corresponding CVSP by using the drop-down box options: (e.g., large truck fatal crashes per 100M VMT, actual number of fatal crashes, actual number of fatalities, other, or N/A).

Goal measurement as defined by your State: N/A

If you select 'Other' or 'N/A' as the goal measurement, explain the measurement used in the text box provided:

The State has not previously identified significant HM transportation safety problems.

Measurement Period (Include 5 Periods)		Fatalities	Goal	Outcome
Begin Date	End Date			
01/01/2017	12/31/2017	2		
01/01/2016	12/31/2016	0		
01/01/2015	12/31/2015	1		
01/01/2014	12/31/2014	1		
01/01/2013	12/31/2013	3		

Enter the data sources and capture dates of the data listed in each of the tables above.

Data Source Table 1: A&I State Level CMV Fatality Rate per 100 Million Total Vehicle Miles Traveled Data Source

Table 2: A&I Summary statistics for Buses in Iowa based on the MCMIS data source Data Source Table 3: A&I HM statistics for Large Trucks and Buses in Iowa based on the MCMIS data source reports pulled 07/17/2018

Narrative: Describe any difficulties achieving the goal, problems encountered, obstacles overcome, lessons learned, etc.

CMV Crashes - Total VMT in Iowa has remained relatively stable over the last five years leading up to CY 2016. Iowa total VMT increased by approximately 5.3 percent in CY 2016, which contributed substantially to traffic congestion and other traffic-related issues that caused fatalities to increase. Statewide law enforcement continues to face significant personnel caps despite a strong economy, limiting Iowa's ability to negate crash levels.

State Motorcoach/Passenger Fatality Reduction - No goals were established during this time frame. Motor Vehicle Enforcement's Passenger Vehicle Team conducted destination and terminal passenger vehicle inspection checks at locations receiving high passenger vehicle traffic volume to ensure compliance with operating authority, insurance, vehicle driver and occupant regulations.

Measurements for motor coach/passenger fatality rates per 100M VMT includes regulated and non-regulated carriers.

State Hazardous Materials Fatality Reduction - Iowa did not establish a HM fatality goal.

FMCSA A&I CMV Fatality Rate per 100 Million Total Vehicle Miles Traveled for 2017 has not been posted to their website at the time of application.

Narrative Overview for FY 2019 - 2021***Instructions:***

The State must include a reasonable crash reduction goal for their State that supports FMCSA's mission to reduce the national number of crashes, injuries and fatalities involving commercial motor vehicles. The State has flexibility in setting its goal and it can be based on raw numbers (e.g., total number of fatalities or CMV crashes), based on a rate (e.g., fatalities per 100 million VMT), etc.

Problem Statement Narrative: Describe the identified problem, include baseline data and identify the measurement method.

Based on CY 2017 fatality crash reports submitted to MCMIS, there have been 2063 crashes involving commercial vehicles statewide resulting in 69 fatalities and 820 injuries.

Iowa DOT, in conjunction with the Iowa State Patrol, have analyzed crash data to determine where the greatest concentration of injuries and fatal crashes have occurred. In addition, consideration was also given to areas in which increases in the number of crashes have spiked. MVE and ISP will meet on a quarterly basis to analyze the most recent crash statistics available in order to conduct enforcement activities in those targeted areas. The targeted areas will be based on the top ten geographic areas that this data points to. Historically, there's an indication that these areas may include the following counties: Blackhawk, Marshall, Scott, Sioux, Tama, Woodbury.

Targeted counties may change quarterly depending where safety data suggests MVE/ISP will have the greatest impact. A summary of quarterly efforts will be provided in PPRs submitted to FMCSA.

Iowa currently receives 95 percent of the crash reports electronically with a 12-day average on timeliness. This timely access to crash data allows the state to monitor and react more responsively to problematic issues and areas.

Enter the data source and capture date:

MCMIS Summary Statistics for Large Trucks and Buses - CY 2014 - 2018 Data snapshot as of 06/30/2018, including crashes through 02/28/2018

Projected Goal for FY 2019 - 2021:

In the table below, state the crash reduction goal for each of the three fiscal years. The method of measurement should be consistent from year to year. For example, if the overall crash reduction goal for the three year period is 12 percent, then each annual goal could be 4 percent.

Fiscal Year	Annual Crash Reduction Goals
2019	3
2020	3
2021	3

The State will conduct 30 high crash corridor checks targeting those ten counties as well as conducting crash corridor checks in high crash areas throughout the State on a quarterly basis. Through the combined efforts of the agencies involved, the goal of the State is to reduce the Iowa CMV fatality rate of 0.21 per 100M VMT (recorded in 2016) to 0.19 per 100M VMT or less by September 30, 2021. This represents a total of 9 percent reduction with a 3 percent decrease in crashes per year. Data Source: USDOT/FHWA, Highway Statistics (annual series); FARS

Program Activities for FY 2019 - 2021: States must indicate the activities, and the amount of effort (staff hours, inspections, traffic enforcement stops, etc.) that will be resourced directly for the program activities purpose.

The State will conduct 30 high-crash corridor driver/vehicle inspection projects and traffic enforcement activities within the ten targeted counties and other high crash counties. Events will be conducted at locations to be determined by the supervising field Captain through further analysis of crash location data and field investigation. The project will be conducted during one workday, will be at least 10 hours in duration, and will be staffed by at least three MCSAP certified officers. A minimum of 900 officers hours will be dedicated to this project with 1,000 of the 26,050 Level III inspections and 1,000 traffic enforcement stops being dedicated to this objective.

MVE resolves to reduce CMV crashes and has a state goal of Zero Fatalities. Crash data shows that Following Too Close and speeding are major contributors to CMV crashes. A Lidar unit with video capabilities would help MVE officers to measure the distance between a CMV and another vehicle.

Per FMCSA's direction, the lead MCSAP agency for the state (MVE) will respond to all CMV crashes in the state that result in a fatality by immediately dispatching a MVE officer(s) trained to conduct Level I inspections, and affirm that such inspections will indeed be conducted. MVE will also strongly encourage and support a commitment to deploying MVE officers to other serious non-fatal CMV related crashes as situations may necessitate for appropriate follow-up activity. The collection of this data is paramount to MVE's combined efforts to eliminate future crashes, and as the state's sole provider of CVSA Level I certified law enforcement officers, we recognize that our agency alone can fulfill this need. Accordingly, we also affirm a commitment to taking steps to ensure allied law enforcement agencies as well as emergency dispatch centers in the state are aware of our obligations to respond to such events to ensure that our department is immediately notified of all serious CMV crashes.

Performance Measurements and Monitoring: The State will monitor the effectiveness of its CMV Crash Reduction Goal quarterly and annually by evaluating the performance measures and reporting results in the required Standard Form - Performance Progress Reports (SF-PPRs).

Describe how the State will conduct ongoing monitoring of progress in addition to quarterly reporting.

Fatality crash reports for each of the identified ten counties and other high crash counties will be tracked and monitored as they are received. The number of fatal crashes and the number of deaths for these counties, along with statewide fatal crash and death totals will be compared with the percentage of gain or loss noted.

The MCSAP Manager will monitor and report on a quarterly basis the number of CMV-related crashes occurring statewide and in the identified ten counties. The results will be reported to the Assistant Chief in charge of field operations and to FMCSA. Crash reduction performance will be evaluated quarterly with a comparison of the number of fatal crashes and deaths in the ten targeted counties to the statewide total numbers, and the resulting percentage of year-to-date change. Due to the quarterly evaluation, the identified ten counties may change.

Part 2 Section 3 - Roadside Inspections

In this section, provide a trend analysis, an overview of the State's roadside inspection program, and projected goals for FY 2019 - 2021.

Note: *In completing this section, do NOT include border enforcement inspections. Border Enforcement activities will be captured in a separate section if applicable.*

Trend Analysis for 2013 - 2017

Inspection Types	2013	2014	2015	2016	2017
Level 1: Full	8913	8816	9437	8719	8273
Level 2: Walk-Around	23734	20845	21469	19124	16514
Level 3: Driver-Only	25238	25193	28132	28500	26464
Level 4: Special Inspections					
Level 5: Vehicle-Only	248	155	172	148	110
Level 6: Radioactive Materials					
Total	58133	55009	59210	56491	51361

Narrative Overview for FY 2019 - 2021

Overview:

Describe components of the State's general Roadside and Fixed-Facility Inspection Program. Include the day-to-day routine for inspections and explain resource allocation decisions (i.e., number of FTE, where inspectors are working and why).

Enter a narrative of the State's overall inspection program, including a description of how the State will monitor its program to ensure effectiveness and consistency.

The Iowa DOT's Office of Motor Vehicle Enforcement (MVE) is the primary agency responsible for vehicle size and weight on Iowa's highways. MVE has jurisdiction and provides enforcement on all roadways, including interstate, primary, secondary and city streets. Roadway embargoes and bridge weight limits are included in weight enforcement operations. A small number of county and city law enforcement agencies enforce vehicle size and weight within their jurisdictions.

Current staffing consists of 100 full-time positions (99 sworn and 1 civilian) of which 97 are MCSAP certified and 12 officer positions are currently vacant. MVE anticipates hiring 12 officers during FFY 2019.

MVE training needs will be extensive for FFY 2019. Due to the anticipation of hiring 12 new officers and certifying recently hired officers, MVE will need to conduct NAS A and B-side, General HazMat, Cargo Tank and Passenger certification classes. This uptick of fully certified MCSAP officers will enable MVE to meet the CVSP goals and increase our efforts.

Iowa has 11 permanent fixed-site scale locations, three of them have weigh-in-motion technology located on the entrance ramps. Each patrol vehicle is assigned 6 to 8 Haenni portable scales, which are used to weigh commercial vehicles in high-volume traffic corridors away from scale site locations, remote areas of the state and on bypass routes near permanent fixed site scale facilities.

MVE plans to allow Officers and Sergeants to participate in planned MCSAP inspection overtime activity. The agency currently anticipates that each Officer and/or Sergeant will be permitted 10 hours each during FFY 2019. During the planned overtime, the Officers and/or Sergeants conduct approximately one inspection an hour. The number one cause of crashes is driver behavior. The majority of the overtime inspections will be Level III inspections targeting those behaviors to include following too close, speed, seatbelt use and driver fatigue. Overtime will be utilized to offset existing FTE caps and tough hiring times. Projects will be based upon real-time data as provided in the InTrans crash

assessment tool and will allow MVE to significantly augment current MCSAP levels.

Every quarter MVE will hold planning and program effectiveness meetings with MVE, ISP and FMCSA Division staff. The focus of the meetings will be data quality, performance and reasonableness and necessity of activities conducted. MVE will not seek or offer reimbursement for activities that cannot meet the reasonable and necessary activities for MVE or any subgrantees. While Iowa will not directly or indirectly suggest that any officer shall issue a certain number of violations or citations, outside of extenuating circumstances, Iowa will adhere to a standard that there should be a citation written when a violation is directly observed that could lead or contribute to a disqualification/withdrawal action upon a CMV driver (eg. 383.51 table, 391.15, etc.)

Projected Goals for FY 2019 - 2021

Instructions for Projected Goals:

Complete the following tables in this section indicating the number of inspections that the State anticipates conducting during Fiscal Years 2019 - 2021. For FY 2019, there are separate tabs for the Lead Agency, Subrecipient Agencies, and Non-Funded Agencies—enter inspection goals by agency type. Enter the requested information on the first three tabs (as applicable). The Summary table totals are calculated by the eCVSP system.

To modify the names of the Lead or Subrecipient agencies, or the number of Subrecipient or Non-Funded Agencies, visit [Part 1, MCSAP Structure](#).

Note: Per the [MCSAP Comprehensive Policy](#), States are strongly encouraged to conduct at least 25 percent Level 1 inspections and 33 percent Level 3 inspections of the total inspections conducted. If the State opts to do less than these minimums, provide an explanation in space provided on the Summary tab.

MCSAP Lead Agency

Lead Agency is: IOWA DEPARTMENT OF TRANSPORTATION - MOTOR VEHICLE ENFORCEMENT

Enter the total number of certified personnel in the Lead agency: 97

Projected Goals for FY 2019 - Roadside Inspections					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	7000	1700	150	8850	19.92%
Level 2: Walk-Around	14600	2500	150	17250	38.83%
Level 3: Driver-Only	18200		50	18250	41.09%
Level 4: Special Inspections				0	0.00%
Level 5: Vehicle-Only			70	70	0.16%
Level 6: Radioactive Materials				0	0.00%
Sub-Total Lead Agency	39800	4200	420	44420	

MCSAP subrecipient agency

Complete the following information for each MCSAP subrecipient agency. A separate table must be created for each subrecipient.

IOWA DEPARTMENT OF PUBLIC

Subrecipient is: SAFETY - IOWA STATE PATROL

Enter the total number of certified personnel in this funded agency: 47

Projected Goals for FY 2019 - Subrecipients					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full				0	0.00%
Level 2: Walk-Around	400			400	4.88%
Level 3: Driver-Only	7800			7800	95.12%
Level 4: Special Inspections				0	0.00%
Level 5: Vehicle-Only				0	0.00%
Level 6: Radioactive Materials				0	0.00%
Sub-Total Funded Agencies	8200	0	0	8200	

Non-Funded Agencies

Total number of agencies:	1
Enter the total number of non-funded certified officers:	2
Enter the total number of inspections projected for FY 2019:	64

Summary

Projected Goals for FY 2019 - Roadside Inspections Summary

Projected Goals for FY 2019 Summary for All Agencies					
MCSAP Lead Agency: IOWA DEPARTMENT OF TRANSPORTATION - MOTOR VEHICLE ENFORCEMENT					
# certified personnel: 97					
Subrecipient Agencies: IOWA DEPARTMENT OF PUBLIC SAFETY - IOWA STATE PATROL					
# certified personnel: 47					
Number of Non-Funded Agencies: 1					
# certified personnel: 2					
# projected inspections: 64					
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1: Full	7000	1700	150	8850	16.82%
Level 2: Walk-Around	15000	2500	150	17650	33.54%
Level 3: Driver-Only	26000		50	26050	49.51%
Level 4: Special Inspections				0	0.00%
Level 5: Vehicle-Only			70	70	0.13%
Level 6: Radioactive Materials				0	0.00%
Total ALL Agencies	48000	4200	420	52620	

Note: If the minimum numbers for Level 1 and Level 3 inspections are less than described in the [MCSAP Comprehensive Policy](#), briefly explain why the minimum(s) will not be met.

Iowa conducted an analysis of all CMV crashes within the state and observed a clear indication that the number one cause of all crashes, by a wide margin, are moving violations committed by CMV drivers. In order to adequately address the cause of CMV crashes in the state, Iowa must focus on inspections that address driver behavior. Accordingly, MVE will place an emphasis on Level II and III inspections and conduct a lower percentage of Level I inspections than suggested in the MCP. We believe this approach will have the greatest impact on CMV crash reduction in our state.

Projected Goals for FY 2020 Roadside Inspections	Lead Agency	Subrecipients	Non-Funded	Total
Enter total number of projected inspections	48500	8200	0	56700
Enter total number of certified personnel	97	47	0	144
Projected Goals for FY 2021 Roadside Inspections				
Enter total number of projected inspections	50800	8200	0	59000
Enter total number of certified personnel	97	47	0	144

Part 2 Section 4 - Investigations

Describe the State's implementation of FMCSA's interventions model for interstate carriers. Also describe any remaining or transitioning compliance review program activities for intrastate motor carriers. Include the number of personnel assigned to this effort. Data provided in this section should reflect interstate and intrastate investigation activities for each year.



The State does not conduct investigations. If this box is checked, the tables and narrative are not required to be completed and won't be displayed.

Trend Analysis for 2013 - 2017

Investigative Types - Interstate	2013	2014	2015	2016	2017
Compliance Investigations	0	0	0	0	0
Cargo Tank Facility Reviews	0	0	0	0	0
Non-Rated Reviews (Excludes CSA & SCR)	0	0	0	0	0
CSA Off-Site	0	0	0	0	0
CSA On-Site Focused/Focused CR	0	0	0	0	0
CSA On-Site Comprehensive	0	0	0	0	0
Total Investigations	0	0	0	0	0
Total Security Contact Reviews	0	0	0	0	0
Total Terminal Investigations	0	0	0	0	0

Investigative Types - Intrastate	2013	2014	2015	2016	2017
Compliance Investigations	0	0	0	0	0
Cargo Tank Facility Reviews	0	0	0	0	0
Non-Rated Reviews (Excludes CSA & SCR)	0	0	0	0	0
CSA Off-Site	0	0	0	0	0
CSA On-Site Focused/Focused CR	0	0	0	0	0
CSA On-Site Comprehensive	0	0	0	0	0
Total Investigations	0	0	0	0	0
Total Security Contact Reviews	0	0	0	0	0
Total Terminal Investigations	0	0	0	0	0

Narrative Overview for FY 2019 - 2021**Instructions:**

Describe the State's implementation of FMCSA's interventions model to the maximum extent possible for interstate carriers and any remaining or transitioning compliance review program activities for intrastate motor carriers. Include the number of personnel assigned to this effort.

Projected Goals for FY 2019 - 2021

Complete the table below indicating the number of investigations that the State anticipates conducting during FY 2019 - 2021.

Projected Goals for FY 2019 - 2021 - Investigations						
Investigation Type	FY 2019		FY 2020		FY 2021	
	Interstate	Intrastate	Interstate	Intrastate	Interstate	Intrastate
Compliance Investigations	12	0	12	0	12	0
Cargo Tank Facility Reviews	0	0	0	0	0	0
Non-Rated Reviews (Excludes CSA & SCR)	0	0	0	0	0	0
CSA Off-Site	0	0	0	0	0	0
CSA On-Site Focused/Focused CR	0	0	0	0	0	0
CSA On-Site Comprehensive	0	0	0	0	0	0
Total Investigations	12	0	12	0	12	0
Total Security Contact Reviews	0	0	0	0	0	0
Total Terminal Investigations	0	0	0	0	0	0

Add additional information as necessary to describe the carrier investigation estimates.

Iowa did not have a CR Program prior to FY 2018 and is in the process of implementing a CR Program. Iowa plans to train two part-time CR Investigators with the goal of having them active in the field by first quarter FFY 2019. These two investigators will primarily focus on high risk interstate carriers based in Iowa whose operations are primarily intrastate and will conduct six comprehensive on-site reviews each. Iowa estimates that both CR Investigators will be certified by the end of FFY 2019, and will coordinate CR assignments with the FMCSA Iowa Division. Iowa intends to establish rules and regulations necessary to deploy an Intrastate CR Program for FFY 2020.

Program Activities: Describe components of the State's carrier investigation activities. Include the number of personnel participating in this activity.

Iowa intends to accomplish FFY 2019 CR goals by cross-training two SA Investigators to conduct reviews. These two investigators will be paired with Federal personnel to assist in their field training, which will be coordinated with the FMCSA Iowa Division.

During FFY 2019, Iowa DOT will also perform an analysis to determine what administrative rules and/or legislative changes may be necessary to deploy a compatible Intrastate CR Program. This will require sending a supervisor to CR Training to effectively oversee and implement the compliance review program and Investigators.

Performance Measurements and Monitoring: Describe all measures the State will use to monitor progress toward the annual goals. Further, describe how the State measures qualitative components of its carrier investigation program, as well as outputs.

The Special Operations Captain will partner with FMCSA Iowa Division to manage investigative assignments and will utilize MVE daily reports when monitoring and reviewing investigative activity.

The Special Operations Captain will review all activity for quality, completeness and accuracy on an ongoing basis and will provide work performance, oversight and guidance.

The Special Operations Captain conducts periodic meetings with Investigators for federal updates.

The Grant Manager will track and report relevant statistics related to investigative work completed on a quarterly basis and provide directional oversight and training implementation.

Iowa will meet quarterly with FMCSA Iowa Division and other relevant stakeholders to discuss progress towards deployment of an Intrastate CR Program.

Part 2 Section 5 - Traffic Enforcement

Traffic enforcement means documented enforcement activities of State or local officials. This includes the stopping of vehicles operating on highways, streets, or roads for moving violations of State or local motor vehicle or traffic laws (e.g., speeding, following too closely, reckless driving, and improper lane changes).

Trend Analysis for 2013 - 2017
Instructions:

Please refer to the [MCSAP Comprehensive Policy](#) for an explanation of FMCSA's traffic enforcement guidance. Complete the tables below to document the State's safety performance goals and outcomes over the past five measurement periods.

1. Insert the beginning and end dates of the measurement period being used, (e.g., calendar year, Federal fiscal year, State fiscal year or any consistent 12-month period for which data is available).
2. Insert the total number CMV traffic enforcement stops with an inspection, CMV traffic enforcement stops without an inspection, and non-CMV stops in the tables below.
3. Insert the total number of written warnings and citations issued during the measurement period. The number of warnings and citations are combined in the last column.

State/Territory Defined Measurement Period (Include 5 Periods)		Number of Documented CMV Traffic Enforcement Stops with an Inspection	Number of Citations and Warnings Issued
Begin Date	End Date		
10/01/2016	09/30/2017	9594	10158
10/01/2015	09/30/2016	10790	11425
10/01/2014	09/30/2015	11645	12308
10/01/2013	09/30/2014	9363	9921
10/01/2012	09/30/2013	9916	10523

☐ The State does not conduct CMV traffic enforcement stops without an inspection. If this box is checked, the "CMV Traffic Enforcement Stops without an Inspection" table is not required to be completed and won't be displayed.

State/Territory Defined Measurement Period (Include 5 Periods)		Number of Documented CMV Traffic Enforcement Stops without Inspection	Number of Citations and Warnings Issued
Begin Date	End Date		
10/01/2016	09/30/2017	2369	488
10/01/2015	09/30/2016	1165	
10/01/2014	09/30/2015	4803	
10/01/2013	09/30/2014	2873	
10/01/2012	09/30/2013	3182	

☒ The State does not conduct documented non-CMV traffic enforcement stops and was not reimbursed by the MCSAP grant (or used for State Share or MOE). If this box is checked, the "Non-CMV Traffic Enforcement Stops" table is not required to be completed and won't be displayed.

Enter the source and capture date of the data listed in the tables above.

Data Source: MCMIS Iowa TE Activity Summary data snapshot 06/24/2016 (FY 2012), Iowa TE Activity Summary data snapshot 06/30/2017 (FY 2013-2016). Preliminary number per TraCS Ad Hoc report. MVE Officer Daily Database - FY 2012-2016. Number of Citations/Warnings were unable to be captured through FFY 2016 due to IT programming issues and has been corrected for FFY 2017. Note that the FFY 2016 number of documented CMV TE stops without an inspection cannot be reported as Iowa shifted from a paper-based tracking mechanism to an electronic mechanism during that fiscal year which could not be effectively queried. These statistics will be available from FFY 2017 forward. Iowa DOT will report all requested TE elements to FMCSA on a quarterly basis beginning in FFY 2017.

Narrative Overview for FY 2019 - 2021**Instructions:**

Describe the State's proposed level of effort (number of personnel) to implement a statewide CMV (in conjunction with and without an inspection) and/or non-CMV traffic enforcement program. If the State conducts CMV and/or non-CMV traffic enforcement activities only in support of the overall crash reduction goal, describe how the State allocates traffic enforcement resources. Please include number of officers, times of day and days of the week, specific corridors or general activity zones, etc. Traffic enforcement activities should include officers who are not assigned to a dedicated commercial vehicle enforcement unit, but who conduct eligible commercial vehicle/driver enforcement activities. If the State conducts non-CMV traffic enforcement activities, the State must conduct these activities in accordance with the [MCSAP Comprehensive Policy](#).

To reduce the number and severity of commercial vehicle-related crashes, Motor Vehicle Enforcement (Lead Agency) and Iowa State Patrol (Subrecipient) will conduct traffic enforcement activities directed toward the drivers of commercial motor vehicles committing dangerous and negligent traffic violations. The number of activities and projects will be tracked with internal reports documenting the number of inspections performed, officer's hours worked, and the number and type of traffic enforcement violations detected. High CMV traffic volume, high CMV crash rate areas, work zones and rural roadways will be selected for these events.

Motor Vehicle Enforcement (MVE) will conduct traffic enforcement related activities on CMVs while performing an estimated 8,850 Level I, 17,250 Level II, 18,250 Level III and 70 Level V inspections during day-to-day activities and focused enforcement projects. MVE will conduct thirty traffic enforcement projects in the identified high crash rate areas, and will include the ten counties identified in the Crash Reduction Goal of the State CMV Safety Program Objectives. The high crash corridor projects will involve speed enforcement and other CMV driver-related enforcement activities. The projects will be conducted during one workday, will be at least ten hours in duration, and will be staffed by at least three MCSAP certified officers. A minimum of 900 hours will be dedicated to high crash corridor traffic enforcement projects. The number of projects and resulting performance will be tracked with internal reports.

MVE will conduct a minimum of thirty Level III checks in FFY 2019. A Level III check will focus on "Driver Only" Level III inspections. Projects will be conducted during one workday, will be at least ten hours in duration and will be staffed by at least three MCSAP certified officers. High CMV traffic volume areas and rural roadways will be selected for these events. A minimum of 900 officer hours will be dedicated to Level III checks.

MVE will conduct a minimum of forty-two Area MCSAP checks in FFY 2019. An Area MCSAP inspection project will focus on Level I inspections in an area not typically receiving Level I activity, such as an area in a rural location. The projects will be conducted during one workday, will be at least ten hours in duration and will be staffed by at least three MCSAP certified officers. A minimum of 1,260 officer hours will be dedicated to the Area MCSAP check.

Iowa State Patrol (ISP) will conduct traffic enforcement related activities on CMVs while performing an estimated 400 Level II and 7,800 Level III inspections during day-to-day activities and focused enforcement projects. ISP will conduct eight Level III traffic enforcement projects in selected high CMV traffic volume, high CMV crash rate areas, work zones and rural roadways. A project will be conducted during four workdays, each day at least eight work hours in duration, and will be staffed by MCSAP certified officers. A minimum of 1,200 officer hours will be dedicated to these eight ISP projects. The number of activities and projects will be tracked with internal reports.

ISP will provide an increased effort by working a minimum of 264 extra shifts focusing on CMV traffic enforcement. ISP will dedicate 43 officers on overtime towards these extra shifts for a total of 2,114 hours. All stops will result in a CMV inspection with the goal of completing a total of 2,114 CMV inspections with this extra effort.

ISP, through a joint effort with MVE, will conduct four traffic enforcement projects. These projects will focus on high CMV traffic volume, crash rate areas, work zones and rural roadways. The projects will be conducted during two workdays, will be at least eight hours in duration, and will be staffed by at least eight MCSAP certified officers. A minimum of 512 officer hours will be dedicated to these four joint projects.

Note that through FFY 2016, certain IT restrictions prevented Iowa DOT from being able to accurately and consistently capture and report TE-related statistics. IT solution has been identified and implemented to fully track all TE data elements requested by FMCSA for TE conducted with/without an inspection. All requested TE data reporting was fulfilled and transmitted to FMCSA in quarterly PPRs beginning in FFY 2017.

Projected Goals for FY 2019 - 2021

Using the radio buttons in the table below, indicate the traffic enforcement activities the State intends to conduct in FY 2019 - 2021. The projected goals are based on the number of traffic stops, not tickets or warnings issued. These goals are NOT intended to set a quota.

			Enter Projected Goals (Number of Stops only)		
Yes	No	Traffic Enforcement Activities	FY 2019	FY 2020	FY 2021
<input checked="" type="radio"/>	<input type="radio"/>	CMV with Inspection	10000	10500	11000
<input checked="" type="radio"/>	<input type="radio"/>	CMV without Inspection	1000	1250	1500
<input type="radio"/>	<input checked="" type="radio"/>	Non-CMV	0	0	0
<input checked="" type="radio"/>	<input type="radio"/>	Comprehensive and high visibility in high risk locations and corridors (special enforcement details)	1000	1000	1000

In order to be eligible to utilize Federal funding for Non-CMV traffic enforcement, the [FAST Act](#) requires that the State must maintain an average number of safety activities which include the number of roadside inspections, carrier investigations, and new entrant safety audits conducted in the State for Fiscal Years 2004 and 2005.

The table below displays the information you input into this plan from the roadside inspections, investigations, and new entrant safety audit sections. Your planned activities must at least equal the average of your 2004/2005 activities.

FY 2019 Planned Safety Activities				
Inspections	Investigations	New Entrant Safety Audits	Sum of FY 2019 Activities	Average 2004/05 Activities
52684	12	530	53226	68612

The sum of your planned FY 2019 safety activities must equal or exceed the average number of 2004/2005 activities to be reimbursed for non-CMV traffic enforcement activities. Update the number of FY 2019 roadside inspections, investigations, and/or new entrant safety audits to be eligible for reimbursement.

Describe how the State will monitor its traffic enforcement efforts to ensure effectiveness, consistency, and correlation to FMCSA's national traffic enforcement priority.

Iowa will monitor its traffic enforcement efforts through special check forms completed by the Sergeant and/or an activity report through TraCS. The special checks will be reported to MVE and captured by the MCSAP Manager. The MCSAP Manager will monitor and report on a quarterly basis the actual number of special checks completed and the results of the Officers' efforts.

Part 2 Section 6 - Safety Technology

The FAST Act made Performance and Registration Information Systems Management (PRISM) a condition for MCSAP eligibility in [49 CFR 350.201 \(aa\)](#). States must achieve full participation by October 1, 2020. FMCSA defines “fully participating” in PRISM, for the purpose of determining eligibility for MCSAP funding, as when a State’s or Territory’s International Registration Plan (IRP) or CMV registration agency suspends or revokes and denies registration if the motor carrier responsible for safety of the vehicle is under any Federal OOS order and denies registration if the motor carrier possess an inactive or de-active USDOT number for motor carriers operating CMVs in commerce that have a Gross Vehicle Weight (GVW) of 26,001 pounds or more. Further information regarding full participation in PRISM can be found in the MCP Section 4.3.1.

Under certain conditions, the FAST Act allows MCSAP lead agencies to use MCSAP funds for Operations and Maintenance (O&M) costs associated with Innovative Technology Deployment (ITD) and the PRISM ([49 CFR 350.201\(aa\) \(cc\)](#)). For PRISM, O&M costs are eligible expenses subject to FMCSA approval. For ITD, if the State agrees to comply with ITD program requirements and has complied with all MCSAP requirements, including achievement of full participation in PRISM, O&M costs are eligible expenses. O&M expenses must be included and described in the Spending Plan section per the method these costs are handled in the State’s accounting system (e.g., contractual costs, other costs, etc.).

Safety Technology Compliance Status

Please verify the current level of compliance for your State in the table below using the drop-down menu. If the State plans to include O&M costs in this year’s CVSP, please indicate that in the table below. Additionally, details must be in this section and in your Spending Plan.

Technology Program	Current Compliance Level	Include O & M Costs?
ITD	Core CVISN Compliant	No
PRISM	Exceeds Full Participation	No

Available data sources:

- [FMCSA website ITD information](#)
- [FMCSA website PRISM information](#)

Enter the agency name responsible for ITD in the State, if other than the Lead MCSAP Agency: Same

Enter the agency name responsible for PRISM in the State, if other than the Lead MCSAP Agency: Same

Narrative Overview for FY 2019 - 2021

Problem Statement Narrative and Projected Goal:

If the State’s PRISM compliance is less than full participation, describe activities your State plans to implement to achieve full participation in PRISM.

Iowa is a premier PRISM state in full compliance.

Program Activities for FY 2019 - 2021: Describe any actions that will be taken to implement full participation in PRISM.

N/A

Performance Measurements and Monitoring: Describe all performance measures that will be used and include how the State will conduct ongoing monitoring of progress in addition to quarterly SF-PPR reporting.

Iowa will continue to submit quarterly PRISM Action/Withdrawal/Denial Reports on a quarterly basis to FMCSA Iowa

Division.

Part 2 Section 7 - Public Education and Outreach

A public education and outreach program is designed to provide information on a variety of traffic safety issues related to CMVs and non-CMV's that operate around large trucks and buses.

Trend Analysis for 2013 - 2017

In the table below, provide the number of public education and outreach activities conducted in the past 5 years.

Public Education and Outreach Activities	2013	2014	2015	2016	2017
Carrier Safety Talks	257	240	167	103	111
CMV Safety Belt Education and Outreach			7	0	1
State Trucking Association Meetings			1	2	2
State-Sponsored Outreach Events			40	31	23
Local Educational Safety Events			28	32	26
Teen Safety Events			3	14	4

Narrative Overview for FY 2019 - 2021

Performance Objective: *To increase the safety awareness of the motoring public, motor carriers and drivers through public education and outreach activities such as safety talks, safety demonstrations, etc.*

Describe the type of activities the State plans to conduct, including but not limited to passenger transportation, hazardous materials transportation, and share the road safety initiatives. Include the number of personnel that will be participating in this effort.

With Iowa adopting the "Zero Fatalities" initiative and the transportation industry in Iowa having an expectation of cooperation between Motor Vehicle Enforcement, ongoing outreach is imperative to the success of lowering transportation related deaths. MVE will continue to present educational seminars regarding state and federal regulations to assist the motoring public and industry to achieve compliance and reduce crashes.

MVE partners with motor carriers, passenger carriers, agribusinesses and hazardous material carriers to reach their drivers and employees. MVE Officers also present to other government entities, including law enforcement, civic groups, clubs and associations.

MVE will work toward other safety initiatives to include Human Trafficking, Safety on Rural Roads, Distracted Driving and other national priorities recognized by FMCSA.

Truckers Against Trafficking awareness training is presented to Motor Carriers, their drivers and the general public. The Iowa Model includes outreach at truck stops and plazas to make drivers aware of this national trend of our children being transported across state lines for nefarious activity.

MVE will re-evaluate training topics and strategy to maintain educational presence as appropriate.

Projected Goals for FY 2019 - 2021

In the table below, indicate if the State intends to conduct the listed program activities, and the estimated number, based on the descriptions in the narrative above.

			Performance Goals		
Yes	No	Activity Type	FY 2019	FY 2020	FY 2021
<input checked="" type="radio"/>	<input type="radio"/>	Carrier Safety Talks	150	150	150
<input checked="" type="radio"/>	<input type="radio"/>	CMV Safety Belt Education and Outreach	1	1	1
<input checked="" type="radio"/>	<input type="radio"/>	State Trucking Association Meetings	2	2	2
<input checked="" type="radio"/>	<input type="radio"/>	State-Sponsored Outreach Events	20	20	20
<input checked="" type="radio"/>	<input type="radio"/>	Local Educational Safety Events	5	5	5
<input checked="" type="radio"/>	<input type="radio"/>	Teen Safety Events	5	5	5

Performance Measurements and Monitoring: Describe all performance measures and how the State will conduct monitoring of progress. States must report the quantity, duration and number of attendees in their quarterly SF-PPR reports.

MVE will track the number of educational seminars conducted for the motor carrier industry, associations and other interested entities, the number of hours devoted to outreach and the number of persons in attendance.

MVE will conduct 183 educational seminars to interested motor carriers, government agencies and civic groups upon request.

The number of programs delivered and the number of attendees will be monitored by the MCSAP Manager who will report the information to FMCSA and MVE management on a quarterly basis.

Part 2 Section 8 - State Safety Data Quality (SSDQ)

The FAST Act allows MCSAP lead agencies to use MCSAP funds for Operations and Maintenance (O&M) costs associated with Safety Data Systems (SSDQ) if the State meets accuracy, completeness and timeliness measures regarding motor carrier safety data and participates in the national data correction system (DataQs).

SSDQ Compliance Status

Please verify the current level of compliance for your State in the table below using the drop-down menu. If the State plans to include O&M costs in this year's CVSP, select Yes. These expenses must be included in the Spending Plan section per the method these costs are handled in the State's accounting system (e.g., contractual costs, other costs, etc.).

Technology Program	Current Compliance Level	Include O & M Costs?
SSDQ	Fair	No

Available data sources:

- [FMCSA website SSDQ information](#)

In the table below, use the drop-down menus to indicate the State's current rating within each of the State Safety Data Quality categories, and the State's goal for FY 2019 - 2021.

SSDQ Category	Current SSDQ Rating	Goal for FY 2019	Goal for FY 2020	Goal for FY 2021
Crash Record Completeness	Good	Good	Good	Good
Fatal Crash Completeness	Good	Good	Good	Good
Crash Timeliness	Poor	Good	Good	Good
Crash Accuracy	Good	Good	Good	Good
Crash Consistency	No Flag	No Flag	No Flag	No Flag
Inspection Record Completeness	Good	Good	Good	Good
Inspection VIN Accuracy	Good	Good	Good	Good
Inspection Timeliness	Good	Good	Good	Good
Inspection Accuracy	Good	Good	Good	Good

Enter the date of the A & I Online data snapshot used for the "Current SSDQ Rating" column.

Data Source: MCMIS data snapshot as of 06/29/2018, including crash records through 03/31/2018.

Narrative Overview for FY 2019 - 2021

Problem Statement Narrative: Describe any issues encountered for any SSDQ category not rated as "Good" in the Current SSDQ Rating category column above (i.e., problems encountered, obstacles overcome, lessons learned, etc.). If the State is "Good" in all categories, no further narrative or explanation is necessary.

Beginning in March 2018 Iowa's crash timeliness rating dropped from Good to Poor with 58% of crash records were reported within 90 days of the crash. This has reportedly been due to a backlog of accident reports getting uploaded.

Program Activities for FY 2019 - 2021: Describe any actions that will be taken to achieve a "Good" rating in any category not currently rated as "Good," including measurable milestones.

Discussion was made with Driver Identification Services to identify that the appropriate resources and the dedication to the task is made. DIS will allocate the manpower to ensure that the data is completed in a timely manner. Meetings with Motor Vehicle Enforcement, FMCSA and the appropriate DIS staff have been scheduled.

Performance Measurements and Monitoring: Describe all performance measures that will be used and include how the State will conduct ongoing monitoring of progress in addition to quarterly SF-PPR reporting.

Will report monthly timeliness data points in the quarterly PPRs. Meetings and discussions will be ongoing and resolution to the crash reporting timeliness is expected to be corrected by the end of FFY 2018.

Historically, Iowa has always been GOOD in this area and MVE finds this to be unacceptable and a blemish on the state's record.

Part 2 Section 9 - New Entrant Safety Audits

The FAST Act states that conducting interstate New Entrant safety audits is now a requirement to participate in the MCSAP ([49 CFR 350.201](#).) The Act allows a State to conduct intrastate New Entrant safety audits at the State's discretion. States that choose to conduct intrastate safety audits must not negatively impact their interstate new entrant program.

Note: The FAST Act also says that a State or a third party may conduct New Entrant safety audits. If a State authorizes a third party to conduct safety audits on its behalf, the State must verify the quality of the work conducted and remains solely responsible for the management and oversight of the New Entrant activities.

Yes	No	Question
<input type="radio"/>	<input type="radio"/>	Does your State conduct Offsite safety audits in the New Entrant Web System (NEWS)? NEWS is the online system that carriers selected for an Offsite Safety Audit use to submit requested documents to FMCSA. Safety Auditors use this same system to review documents and communicate with the carrier about the Offsite Safety Audit.
<input type="radio"/>	<input type="radio"/>	Does your State conduct Group safety audits at non principal place of business locations?
<input type="radio"/>	<input type="radio"/>	Does your State intend to conduct intrastate safety audits and claim the expenses for reimbursement, state match, and/or Maintenance of Effort on the MCSAP Grant?

Trend Analysis for 2013 - 2017

In the table below, provide the number of New Entrant safety audits conducted in the past 5 years.

New Entrant Safety Audits	2013	2014	2015	2016	2017
Interstate	319	684	436	445	514
Intrastate	0	0	0	0	0
Total Audits	319	684	436	445	514

Note: Intrastate safety audits will not be reflected in any FMCSA data systems—totals must be derived from State data sources.

Narrative Overview for FY 2019 - 2021

Enter the agency name conducting New Entrant activities, if other than the Lead MCSAP Agency: Same

Program Goal: Reduce the number and severity of crashes, injuries, and fatalities involving commercial motor vehicles by reviewing interstate new entrant carriers. At the State's discretion, intrastate motor carriers are reviewed to ensure they have effective safety management programs.

Program Objective: Statutory time limits for processing and completing interstate safety audits are:

- If entry date into the New Entrant program (as shown in FMCSA data systems) September 30, 2013 or earlier—safety audit must be completed within 18 months.
- If entry date into the New Entrant program (as shown in FMCSA data systems) October 1, 2013 or later—safety audit must be completed within 12 months for all motor carriers and 120 days for motor carriers of passengers.

Projected Goals for FY 2019 - 2021

For the purpose of completing the table below:

- **Onsite safety audits** are conducted at the carrier's principal place of business.

- **Offsite safety audit** is a desktop review of a single New Entrant motor carrier's basic safety management controls and can be conducted from any location other than a motor carrier's place of business. Offsite audits are conducted by States that have completed the FMCSA New Entrant training for offsite audits.
- **Group audits** are neither an onsite nor offsite audit. Group audits are conducted on multiple carriers at an alternative location (i.e., hotel, border inspection station, State office, etc.).

Projected Goals for FY 2019 - 2021 - New Entrant Safety Audits						
	FY 2019		FY 2020		FY 2021	
Number of Safety Audits/Non-Audit Resolutions	Interstate	Intrastate	Interstate	Intrastate	Interstate	Intrastate
# of Safety Audits (Onsite)	30	0	30	0	30	0
# of Safety Audits (Offsite)	500	0	500	0	500	0
# Group Audits	0	0	0	0	0	0
TOTAL Safety Audits	530	0	530	0	530	0
# of Non-Audit Resolutions	100	0	100	0	100	0

Strategies: Describe the strategies that will be utilized to meet the program objective above. Provide any challenges or impediments foreseen that may prevent successful completion of the objective.

Motor Vehicle Enforcement's Motor Carrier Investigators (MCIs) are assigned to conduct Safety Audits (SAs) on interstate motor carriers. MCIs are uniformed, sworn peace officers who drive fully marked patrol vehicles. They are located across the state and reside within their assigned areas of service. In addition to conducting SAs, they are required to attend quarterly training and maintain CVSA Level I, General Hazardous Material and Cargo Tank Inspection certifications by conducting appropriate number of roadside inspections.

For FFY 2019, MVE proposes to conduct 530 safety audits and upload completed documents to MCMIS within the statutory time frames by utilizing five full-time investigators supervised by the Special Operations Captain.

The Office of Motor Vehicle Enforcement has used existing data from the past two years to project an increase in the number of new commercial carriers that will begin operations during the next 12 months.

Activity Plan for FY 2019 - 2021: Include a description of the activities proposed to help achieve the objectives. If group audits are planned, include an estimate of the number of group audits.

During FFY 2019 the MVE New Entrant Program will be fully staffed with a total of five investigators. Two of the five investigators will conduct both Compliance Reviews and Safety Audits.

For FFY 2019, MVE proposes to conduct 30 on-site and 500 off-site safety audits. Completed documents will be uploaded to MCMIS within the statutory time frames.

Carrier No-Contact and Audit Refusal information will be entered in MCMIS in a timely manner. Iowa will follow FMCSAs no-contact policy for non-compliant new entrant carriers. Non-audit resolutions will be processed in accordance with FMCSA policies as well.

Educational information is provided to the carrier during the SA. Evidence of activity relevant to potential SA failure or possible federal enforcement activity will be scanned, retained electronically and forwarded to FMCSA investigators upon request.

Performance Measurement Plan: Describe how you will measure progress toward meeting the objective, such as quantifiable and measurable outputs (staffing, work hours, carrier contacts, inspections, etc.). The measure must include specific benchmarks to be reported on in the quarterly progress report, or as annual outputs.

The Special Operations Captain assigns New Entrant caseloads and utilizes MVE daily reports and MCMIS monitoring reports in reviewing investigator's activity and non-audit resolutions.

The Special Operations Captain reviews all inspection and audit reports for quality, completeness and accuracy throughout the month and will provide work performance oversight and guidance.

Data collected is based on investigator's daily activity report, which is analyzed by the Program Grant Manager on a

monthly basis. The Program Grant Manager tracks, on a monthly basis, the number of SAs, non-audit resolutions, and prepares and submits billings for reimbursement.

Part 3 - National Emphasis Areas and State Specific Objectives

FMCSA establishes annual national priorities (emphasis areas) based on emerging or continuing issues, and will evaluate CVSPs in consideration of these national priorities. Part 3 allows States to address the national emphasis areas/priorities outlined in the MCSAP CVSP Planning Memorandum and any State-specific objectives as necessary. Specific goals and activities must be projected for the three fiscal year period (FYs 2019 - 2021).

Part 3 Section 1 - Enforcement of Federal OOS Orders during Roadside Activities

Instructions:

FMCSA has established an Out-of-Service (OOS) catch rate of 85 percent for carriers operating while under an OOS order. In this part, States will indicate their catch rate is at least 85 percent by using the check box or completing the problem statement portion below.

Check this box if:

☐ As evidenced by the data provided by FMCSA, the State identifies at least 85 percent of carriers operating under a Federal OOS order during roadside enforcement activities and will not establish a specific reduction goal. However, the State will maintain effective enforcement of Federal OOS orders during roadside inspections and traffic enforcement activities.

Narrative Overview for FY 2019 - 2021

Enter your State's OOS Catch Rate percentage if below 85 percent: 25%

Projected Goals for FY 2019 - 2021: Enter a description of the State's performance goals.

Fiscal Year	Goal (%)
2019	85
2020	85
2021	85

Iowa's Out-Of-Service catch rate as determined by FMCSA for the 12 month period of 5/1/17 through 4/30/18 (the rate used for CVSP development) was at 25.00% for IH and UNSAT/UNFIT carriers. Iowa understands the importance for meeting the 85% catch standard and will review every miss with each and every officer to determine how the violation was missed. Each quarterly training will contain a component to educate officers on resources available to them to assist in reaching this goal.

Program Activities for FY 2019 - 2021: Describe policies, procedures, and/or technology that will be utilized to identify OOS carriers at roadside. Include how you will conduct quality assurance oversight to ensure that inspectors are effectively identifying OOS carriers and preventing them from operating.

Command and Control software used by Iowa named Mobile Architecture for Communications Handling (MACH) is interfaced with the roadside CMV inspection software in TraCS. MACH includes functionality in which a motor carrier USDOT number is submitted to identify motor carriers with outstanding federal out-of-service orders, enabling the officer to take enforcement action roadside.

Performance Measurements and Monitoring: Describe all performance measures and how the State will conduct ongoing monitoring of progress in addition to quarterly SF-PPR reporting.

MVE has a goal of identifying no less than 85 percent of OOS carriers during roadside inspections.

Part 3 Section 2 - Passenger Carrier Enforcement**Instructions:**

FMCSA requests that States conduct enhanced investigations for motor carriers of passengers and other high risk carriers. Additionally, States are asked to allocate resources to participate in the enhanced investigations training being offered by FMCSA. Finally, States are asked to continue partnering with FMCSA in conducting enhanced investigations and inspections at carrier locations.

Check this box if:

☒ As evidenced by the trend analysis data, the State has not identified a significant passenger transportation safety problem. Therefore, the State will not establish a specific passenger transportation goal in the current fiscal year. However, the State will continue to enforce the Federal Motor Carrier Safety Regulations (FMCSRs) pertaining to passenger transportation by CMVs in a manner consistent with the [MCSAP Comprehensive Policy](#) as described either below or in the roadside inspection section.

Part 3 Section 3 - State Specific Objectives – Past

Instructions:

Describe any State-specific CMV problems that were addressed with FY2018 MCSAP funding. Some examples may include hazardous materials objectives, Electronic Logging Device (ELD) implementation, and crash reduction for a specific segment of industry, etc. Report below on year-to-date progress on each State-specific objective identified in the FY 2018 CVSP.

Progress Report on State Specific Objectives(s) from the FY 2018 CVSP

Please enter information to describe the year-to-date progress on any State-specific objective(s) identified in the State's FY 2018 CVSP. Click on "Add New Activity" to enter progress information on each State-specific objective.

Activity #1

Activity: Describe State-specific activity conducted from previous year's CVSP.

CMV Safety Improvement Iowa recognizes that there is a correlation between certain high-risk driving behaviors and other poor safety choices made by drivers. For example, drivers who engaged in texting while driving and drivers who choose not to wear seatbelts are exponentially more likely to be involved in severe crashes and sustain serious injury respectively. Iowa will focus special efforts in reducing these high-risk behaviors.

Goal: Insert goal from previous year CVSP (#, %, etc., as appropriate).

Iowa intends to work a minimum of 20 high-risk driver behavior traffic enforcement projects spread throughout FFY 2018. MVE will make every effort to partner with other law enforcement agencies while conducted these enforcement projects. MVE will consider the use of innovative enforcement techniques inclusive of cover/unmarked patrol vehicles in identifying high-risk traffic violations.

Actual: Insert year to date progress (#, %, etc., as appropriate).

As of the third quarter, Iowa has already conducted 11 traffic enforcement projects across the state of Iowa. MVE officers have used covert methods to detect bad driving behavior to include texting while driving, CMVs failing to use hands-free devices, speeding and no seat belt use. These enforcement projects have resulted in 497 violations so far in FFY 2018.

Narrative: Describe any difficulties achieving the goal, problems encountered, obstacles overcome, lessons learned, etc.

Iowa has concluded that unconventional methods of identifying high-risk driving behaviors has served to increase the public's awareness that Law Enforcement officers are working together across agency lines to improve driving behavior. Iowa is on track to achieve our goal.

Part 3 Section 4 - State Specific Objectives – Future

Instructions:

The State may include additional objectives from the national priorities or emphasis areas identified in the MCSAP CVSP Planning Memorandum as applicable. In addition, the State may include any State-specific CMV problems identified in the State that will be addressed with MCSAP funding. Some examples may include hazardous materials objectives, Electronic Logging Device (ELD) implementation, and crash reduction for a specific segment of industry, etc.

Describe any State-specific objective(s) identified for FY 2019 - 2021. Click on "Add New Activity" to enter information on each State-specific objective. This is an optional section and only required if a State has identified a specific State problem planned to be addressed with grant funding.

State Objective #1

Enter the title of your State-Identified Objective.

CMV Traffic Safety Improvement

Narrative Overview for FY 2019 - 2021

Problem Statement Narrative: Describe problem identified by performance data including baseline data.

Iowa recognizes that there's a correlation between certain high-risk driving behaviors and other poor safety choices made by drivers. For example, drivers who engaged in texting while driving and drivers who choose not to wear seatbelts are exponentially more likely to be involved in severe crashes and sustain serious injury respectively. Iowa will focus special efforts in reducing these high-risk behaviors.

Projected Goals for FY 2019 - 2021:

Enter performance goal.

Iowa intends to work a minimum of 20 high-risk driver behavior traffic enforcement projects spread throughout FFY 2019. MVE will consider the use of innovative enforcement techniques inclusive of covert/unmarked patrol vehicles in identifying high-risk traffic violations.

Program Activities for FY 2019 - 2021: Describe the activities that will be implemented including level of effort.

Field Captains will determine the location for the projects in their respective areas and contact local law enforcement to participate when available. The 20 projects will be spread evenly across the five Captain areas. Following the completion of each project, each Captain will submit completed MCSAP check form. Each traffic enforcement project will be conducted in one day to include 3 officers dedicating 10 hours each.

Performance Measurements and Monitoring: Describe all performance measures and how the State will conduct ongoing monitoring of progress in addition to quarterly SF-PPR reporting.

Iowa MCSAP Manager will collect data related to enforcement projects completed and consolidate the information for PPR submittal. Iowa will also ensure that field Captains discuss the successes and areas for improvement during monthly Captain's meeting. Quarterly data will include number of events, officer hours, contacts, inspections and violations for all participating officers.

State Objective #2

Enter the title of your State-Identified Objective.

CMV Driver Safety Survey

Narrative Overview for FY 2019 - 2021

Problem Statement Narrative: Describe problem identified by performance data including baseline data.

Iowa's Motor Vehicle Enforcement office has fielded an increased number of internal and external complaints regarding CMV and driver safety. Complaints include matters related to improper use of personal conveyance, improper parking on the roadway, cell phone use, and other matters related to the state's MCSAP safety goals.

Projected Goals for FY 2019 - 2021:***Enter performance goal.***

When MVE identifies a pattern of complaints related to FMCSR violations or an egregious act pertaining to CMV driver safety, MVE will respond, investigate and take any and all enforcement action necessary.

Program Activities for FY 2019 - 2021: Describe the activities that will be implemented including level of effort.

MVE anticipates that these activities will be limited and will respond accordingly. Based on last year's complaints MVE expects to be involved in 3-4 events a year. These events will have an inconsequential effect on MVE's ability to realize traditional MCSAP goals.

Performance Measurements and Monitoring: Describe all performance measures and how the State will conduct ongoing monitoring of progress in addition to quarterly SF-PPR reporting.

Monitoring of these complaints will be included in the PPR to include the nature of activity, MVE's response and the nature of the response.

Part 4 - Financial Information

Part 4 Section 1 - Overview

The Spending Plan is an explanation of each budget component, and should support the cost estimates for the proposed work. The Spending Plan should focus on how each item will achieve the proposed project goals and objectives, and explain how costs are calculated. The Spending Plan must be clear, specific, detailed, and mathematically correct. Sources for assistance in developing the Spending Plan include [2 CFR part 200](#), [2 CFR part 1201](#), [49 CFR part 350](#) and the [MCSAP Comprehensive Policy](#).

Before any cost is billed to or recovered from a Federal award, it must be allowable ([2 CFR §200.403](#), [2 CFR §200 Subpart E – Cost Principles](#)), reasonable and necessary ([2 CFR §200.403](#) and [2 CFR §200.404](#)), and allocable ([2 CFR §200.405](#)).

- **Allowable** costs are permissible under the OMB Uniform Guidance, DOT and FMCSA regulations and directives, MCSAP policy, and all other relevant legal and regulatory authority.
- **Reasonable and Necessary** costs are those which a prudent person would deem to be judicious under the circumstances.
- **Allocable** costs are those that are charged to a funding source (e.g., a Federal award) based upon the benefit received by the funding source. Benefit received must be tangible and measurable.
 - For example, a Federal project that uses 5,000 square feet of a rented 20,000 square foot facility may charge 25 percent of the total rental cost.

Instructions

The Spending Plan should include costs for FY 2019 only. This applies to States completing a multi-year CVSP or an Annual Update to their multi-year CVSP.

The Spending Plan data tables are displayed by budget category (Personnel, Fringe Benefits, Travel, Equipment, Supplies, Contractual and Subaward, and Other Costs). You may add additional lines to each table, as necessary. Please include clear, concise explanations in the narrative boxes regarding the reason for each cost, how costs are calculated, why they are necessary, and specific information on how prorated costs were determined.

The following definitions describe Spending Plan terminology.

- **Federal Share** means the portion of the total project costs paid by Federal funds. Federal share is 85 percent of the total project costs for this FMCSA grant program.
- **State Share** means the portion of the total project costs paid by State funds. State share is 15 percent of the total project costs for this FMCSA grant program. A State is only required to contribute up to 15 percent of the total project costs of all budget categories combined as State share. A State is NOT required to include a 15 percent State share for each line item in a budget category. The State has the flexibility to select the budget categories and line items where State match will be shown.
- **Total Project Costs** means total allowable costs incurred under a Federal award and all required cost sharing (sum of the Federal share plus State share), including third party contributions.
- **Maintenance of Effort (MOE)** means the level of effort Lead State Agencies are required to maintain each fiscal year in accordance with [49 CFR § 350.301](#). The State has the flexibility to select the budget categories and line items where MOE will be shown. Additional information regarding MOE can be found in the MCSAP Comprehensive Policy (MCP) in section 3.6.

On Screen Messages

The system performs a number of edit checks on Spending Plan data inputs to ensure calculations are correct, and values are as expected. When anomalies are detected, alerts will be displayed on screen.

- Calculation of Federal and State Shares

Total Project Costs are determined for each line based upon user-entered data and a specific budget category formula. Federal and State shares are then calculated by the system based upon the Total Project Costs and are added to each line item.

The system calculates an 85 percent Federal share and 15 percent State share automatically and populates these values in each line. Federal share is the product of Total Project Costs x .85. State share equals Total Project Costs minus Federal share. If Total Project Costs are updated based upon user edits to the input values, the 85 and 15 percent values will not be recalculated by the system and should be reviewed and updated by users as necessary.

States may edit the system-calculated Federal and State share values at any time to reflect actual allocation for any line item. For example, States may allocate a different percentage to Federal and State shares. States must ensure that the sum of the Federal and State shares equals the Total Project Costs for each line before proceeding to the next budget category.

An error is shown on line items where Total Project Costs does not equal the sum of the Federal and State shares. Errors must be resolved before the system will allow users to 'save' or 'add' new line items.

Territories must insure that Total Project Costs equal Federal share for each line in order to proceed.

- **MOE Expenditures**

States may enter MOE on individual line items in the Spending Plan tables. The Personnel, Fringe Benefits, Equipment, Supplies, and Other Costs budget activity areas include edit checks on each line item preventing MOE costs from exceeding allowable amounts.

- If "Percentage of Time on MCSAP grant" equals 100%, then MOE must equal \$0.00.
- If "Percentage of Time on MCSAP grant" equals 0%, then MOE may equal up to Total Project Costs as expected at 100%.
- If "Percentage of Time on MCSAP grant" > 0% AND < 100%, then the MOE maximum value cannot exceed "100% Total Project Costs" minus "system-calculated Total Project Costs".

An error is shown on line items where MOE expenditures are too high. Errors must be resolved before the system will allow users to 'save' or 'add' new line items.

The Travel and Contractual budget activity areas do not include edit checks for MOE costs on each line item. States should review all entries to ensure costs reflect estimated expenditures.

- **Financial Summary**

The Financial Summary is a summary of all budget categories. The system provides warnings to the States on this page if the projected State Spending Plan totals are outside FMCSA's estimated funding amounts. States should review any warning messages that appear on this page and address them prior to submitting the eCVSP for FMCSA review.

The system will confirm that:

- Overtime value does not exceed the FMCSA limit.
- Planned MOE Costs equal or exceed FMCSA limit.
- States' proposed Federal and State share totals are each within \$5 of FMCSA's Federal and State share estimated amounts.
- Territories' proposed Total Project Costs are within \$5 of \$350,000.

ESTIMATED Fiscal Year Funding Amounts for MCSAP			
	85% Federal Share	15% State Share	Total Estimated Funding
Total	\$5,009,303.00	\$883,301.00	\$5,892,604.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (15% of MCSAP Award Amount):	\$883,301.00
MOE Baseline:	\$747,966.49

Part 4 Section 2 - Personnel

Personnel costs are salaries for employees working directly on a project.

Note: Do not include any personally identifiable information (PII) in the CVSP. The final CVSP approved by FMCSA is required to be posted to a public FMCSA website.

List grant-funded staff who will complete the tasks discussed in the narrative descriptive sections of the CVSP. Positions may be listed by title or function. It is not necessary to list all individual personnel separately by line. The State may use average or actual salary and wages by personnel category (e.g., Trooper, Civilian Inspector, Admin Support, etc.). Additional lines may be added as necessary to capture all your personnel costs.

The percent of each person's time must be allocated to this project based on the amount of time/effort applied to the project. For budgeting purposes, historical data is an acceptable basis.

Note: Reimbursement requests must be based upon documented time and effort reports. Those same time and effort reports may be used to estimate salary expenses for a future period. For example, a MCSAP officer's time and effort reports for the previous year show that he/she spent 35 percent of his/her time on approved grant activities. Consequently, it is reasonable to budget 35 percent of the officer's salary to this project. For more information on this item see [2 CFR §200.430](#).

In the salary column, enter the salary for each position.

Total Project Costs equal the Number of Staff x Percentage of Time on MCSAP grant x Salary for both Personnel and Overtime (OT).

If OT will be charged to the grant, only OT amounts for the Lead MCSAP Agency should be included in the table below. If the OT amount requested is greater than the 15 percent limitation in the MCSAP Comprehensive Policy (MCP), then justification must be provided in the CVSP for review and approval by FMCSA headquarters.

Activities conducted on OT by subrecipients under subawards from the Lead MCSAP Agency must comply with the 15 percent limitation as provided in the MCP. Any deviation from the 15 percent limitation must be approved by the Lead MCSAP Agency for the subrecipients.

Summary of MCSAP Funding Limitations

Allowable amount for Lead MCSAP Agency Overtime without written justification (15% of MCSAP Award Amount):	\$883,301.00
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Personnel: Salary and Overtime Project Costs							
Salary Project Costs							
Position(s)	# of Staff	% of Time on MCSAP Grant	Salary	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
Lieutenant	2	28.0000	\$79,144.00	\$44,320.64	\$38,996.61	\$5,324.03	\$0.00
Special Operations Captain	1	65.0000	\$84,552.00	\$54,958.80	\$46,714.98	\$8,243.82	\$0.00
Grant Manager	1	65.0000	\$70,324.80	\$45,711.12	\$38,854.45	\$6,856.67	\$0.00
Motor Carrier Investigator	5	100.0000	\$71,843.20	\$359,216.00	\$305,333.60	\$53,882.40	\$0.00
Secretary 2	1	35.0000	\$50,315.22	\$17,610.32	\$14,968.77	\$2,641.55	\$0.00
Assistant Chief	1	31.0000	\$88,774.40	\$27,520.06	\$23,392.05	\$4,128.01	\$0.00
Chief	1	30.0000	\$133,931.20	\$40,179.36	\$34,152.46	\$6,026.90	\$0.00
Captain	5	25.0000	\$84,552.00	\$105,690.00	\$89,836.50	\$15,853.50	\$0.00
Captain-Training	1	23.0000	\$84,552.00	\$19,446.96	\$16,529.92	\$2,917.04	\$0.00
Sergeant	10	24.0000	\$71,843.20	\$172,423.68	\$145,825.73	\$26,597.95	\$0.00
HM Specialist	6	25.0000	\$71,843.20	\$107,764.80	\$91,600.08	\$16,164.72	\$0.00
Officer	65	44.0000	\$65,416.00	\$1,870,897.60	\$1,590,262.96	\$280,634.64	\$800,365.74
Sergeant-Training	1	24.0000	\$71,843.20	\$17,242.36	\$14,656.01	\$2,586.35	\$0.00
NE Captain of Special Operations	1	35.0000	\$84,552.00	\$29,593.20	\$25,154.22	\$4,438.98	\$0.00
NE Grant Manager	1	35.0000	\$70,324.80	\$24,613.68	\$20,921.63	\$3,692.05	\$0.00
Subtotal: Salary				\$2,937,188.58	\$2,497,199.97	\$439,988.61	\$800,365.74
Overtime Project Costs							
Sergeant	11	100.0000	\$518.10	\$5,699.10	\$4,844.24	\$854.86	\$0.00
Officer	65	100.0000	\$471.80	\$30,667.00	\$26,066.95	\$4,600.05	\$0.00
Subtotal: Overtime				\$36,366.10	\$30,911.19	\$5,454.91	\$0.00
TOTAL: Personnel				\$2,973,554.68	\$2,528,111.16	\$445,443.52	\$800,365.74
Accounting Method:	Cash						

Enter a detailed explanation of how the personnel costs were derived and allocated to the MCSAP project.

The Iowa Department of Transportation's (DOT) Office of Motor Vehicle Enforcement (MVE) and the Iowa Department of Public Safety's (DPS) Office of Iowa State Patrol (ISP), propose MCSAP program budgets based upon a long-standing sharing agreement that divides the Motor Carrier Safety Assistance Program (MCSAP) allocation by 65 percent DOT, and 35 percent DPS. This agreement has effectively utilized available MCSAP funding and has enhanced good stewardship of the money.

MVE uses MCSAP funds to pay officer salaries, expenses, and vehicle costs associated with performing MCSAP eligible enforcement and educational efforts. State matching funds are provided for and paid through the operating budgets of the respective agencies. Maintenance of Effort (MOE) obligations are historically met by officers and staff unclaimed fringe benefit costs, which are tracked through internal reports, but not submitted for reimbursement.

As the lead MCSAP agency, the Iowa Department of Transportation supports the MCSAP program by fully funding the \$12,556,000 annual operating budget of the Office of Motor Vehicle Enforcement. Eligible MCSAP expense are tracked through a payroll accounting system that records employee hours worked and the expenses generated on MCSAP assignments. MOE and state match obligations are met by payment of MCSAP eligible direct expenses, which are not claimed for reimbursement. MCSAP billings for state match and MOE are processed in monthly increments.

PERSONNEL

Full-time positions are based on 2,080 hours of available hours per person/per year. MCSAP reimbursements are based on actual time spent conducting the eligible activity, calculated from bi-weekly payroll time and activity records prepared by the employee. Hourly salary rates represent projected FY 2018 wages.

Personnel costs are utilized to pay salaries of employees working directly on MCSAP-related projects (i.e., conducting inspections, administrative oversight, training, etc.). Listed below is a breakdown of positions and staff involvement in achieving proposed goals and objectives:

Chief

The Chief of Motor Vehicle Enforcement oversees activities and is the Project Manager of the MCSAP Program and spends 30% of the time supervising staff, working with Assistant Chief in setting MCSAP performance goals and attending MCSAP related conferences.

Assistant Chief

The Assistant Chief supervises activities of the project and spends 31% of the time implementing this project, supervising staff and conducting activities to meet the objectives of this project. Activities include: supervising daily operation of staff, through subordinate Captains, for approximately 96 peace officers deployed statewide; setting MCSAP performance goals; working with Captains to chart progress of Officers and Sergeants toward those goals; managing the delivery/operation of federal and state law enforcement programs with a primary focus on commercial vehicles and drivers; resolving problems with high-profile external customers ranging from trucking company owners/safety directors to FMCSA personnel and state representatives and senators; reviewing activity reports for safety belt compliance submitted by field Captains.

Captain of Special Operations and New Entrant Program

The Captain of Special Operations oversees activities of the project and spends 100% of the time implementing this project supervising staff and conducting activities to meet the objectives of this project. MCSAP activities(65%) include: supervising daily operation of Special Operation Unit consisting of Hazardous Material Specialists and Motor Carrier Investigators located throughout the state. The MCIs are aligned with the New Entrant Program. The Captain's activities(35%) related to NE include: assigned NE caseloads, review and monitoring daily activity/inspection/audit reports, conducting on-site visits with MCI staff, and setting up yearly NE training/updates.

Captain

The Captain oversees activities of the project and spends 25% of the time implementing this project, supervising sergeants and officers and conducting activities to meet the objectives of this project. Activities include: supervising and reviewing daily reports of officers and sergeants to assure uniformity and compliance with department policies and procedures; coordinating MCSAP projects throughout the state and with other law enforcement agencies; inspects and weighs vehicles and drivers for compliance with all state and federal laws; conducts roadside inspections to fulfill MCSAP reporting requirements.

Captain of Training

The Captain of Training develops, reviews and updates outreach material and spends 25% of the time implementing this project. Activities include: managing recruitment and recertification for officers; overseeing Field Training Program for new officers; schedule, coordinate and present outreach training with industry; provide guidance to officers and other trainers in issues related to commercial vehicle safety; conducts roadside inspections to fulfill MCSAP reporting requirements.

Lieutenant

The Lieutenant maintains TraCS software and database for downloading inspections to SAFETYNET and spends 28% of the time implementing this project. Activities include: maintaining SAFETYNET database and conducting roadside inspections to fulfill MCSAP reporting requirements.

Sergeant

The Sergeant assists supervisor with instructing and scheduling Officers and spends 28% of the time implementing this project. Activities include: checking commercial motor vehicles for carrier and driver compliance; conducting inspection surveillance; working on special checks throughout the state; conducting roadside inspections to fulfill MCSAP reporting requirements.

Sergeant of Training

The Sergeant of Training develops, review and updates outreach material and spends 37% of the time implementing this project. Activities include: schedule, coordinate and present outreach training with industry; provide guidance, updates and training to officers and other trainers in issues related to commercial vehicle safety; updates websites, printed and presented materials; conducts roadside inspections to fulfill MCSAP reporting requirements.

Hazardous Material Specialist

The Hazardous Materials Specialist is accountable for the highly specialized responsibilities of inspecting hazardous materials loads for compliance with federal and state laws and spends 28% of the time implementing this project. Other activities include: escorting spent nuclear fuel through Iowa; working with and training other MVE Officers in HM inspections; providing detailed training to

members of the HM industry to provide a high level of voluntary compliance; conducts roadside inspections to fulfill MCSAP reporting requirements.

Officers

The Officer inspects commercial motor vehicles for compliance, observes drivers for impairment and places unsafe drivers out of service and spends 41% of the time implementing this project. Activities include: conducting roadside inspections to fulfill MCSAP reporting requirements.

MCSAP and New Entrant Manager

The MCSAP Manager is responsible for development of annual Commercial Vehicle Safety Plan and spends 100% of the time implementing this project. MCSAP activities(65%) include: Monitor inspection projection trends; prepare and submit quarterly MCSAP program performance reports to FMCSA; submit monthly billing to Office of Finance for reimbursement, audit subrecipient activity and billings. The MCSAP Manager is also responsible for tracking the New Entrant Program (35%) to include tracking the number of SAs and non-audit resolutions on a monthly basis, preparing and submitting performance quarterly report to FMCSA and submitting monthly billing.

Secretary 2

The Secretary 2 is responsible for providing clerical support to Motor Vehicle Enforcement staff and spends 35% of the time implementing this project. Activities include: producing monthly and year-to-date officer reports; working with TraCS dashboard; ordering uniforms and supplies.

Motor Carrier Investigators

Motor Carrier Investigators are uniformed sworn peace officers who are located across the state and reside within their assigned areas of service. They spend 100% of their time conducting CRs and SAs on interstate motor carriers, CRs, providing educational training and maintaining CVSA Level I, General Hazardous Material, and Cargo Tank Inspection certifications.

Overtime

MVE Officers and Sergeants will be working special projects on overtime. Chart above reflects ? #of hours per Officer and Sergeant per year times the average salary rate for the personnel classification at 1.5 the rate of hourly pay. Overtime use will be concentrated on MCSAP activity and total hour usage may fluctuate in accordance with planned activities. Only actual costs will be billed to the MCSAP project. Officers average rate of overtime pay is 47.18 / hour at 10 hours / year with 65 officers equals \$30,862. Sergeants average rate of overtime pay is 51.81 / hour at 10 hours / year with 11 Sergeants equals \$5,699.10.

Part 4 Section 3 - Fringe Benefits

*Fringe costs are benefits paid to employees, including the cost of employer's share of FICA, health insurance, worker's compensation, and paid leave. Only non-Federal grantees that use the **accrual basis** of accounting may have a separate line item for leave, and is entered as the projected leave expected to be accrued by the personnel listed within Part 4.2 – Personnel. Reference [2 CFR §200.431\(b\)](#).*

Show the fringe benefit costs associated with the staff listed in the Personnel section. Fringe costs may be estimates, or based on a fringe benefit rate approved by the applicant's Federal cognizant agency for indirect costs. If using an approved rate, a copy of the indirect cost rate agreement must be provided through grants.gov. For more information on this item see [2 CFR §200.431](#).

Show how the fringe benefit amount is calculated (i.e., actual fringe benefits, rate approved by HHS Statewide Cost Allocation or cognizant agency). Include a description of the specific benefits that are charged to a project and the benefit percentage or total benefit cost.

The cost of fringe benefits are allowable if:

- Costs are provided under established written policies.
- Costs are equitably allocated to all related activities, including Federal awards.
- Accounting basis (cash or accrual) selected for each type of leave is consistently followed by the non-Federal entity or specified grouping of employees.

Depending on the State, there are fixed employer taxes that are paid as a percentage of the salary, such as Social Security, Medicare, State Unemployment Tax, etc.

- For each of these standard employer taxes, under Position you may list "All Positions," the benefits would be the respective standard employer taxes, followed by the respective rate with a base being the total salaries for Personnel in Part 4.2.
- The base multiplied by the respective rate would give the total for each standard employer tax. Workers' Compensation is rated by risk area. It is permissible to enter this as an average, usually between sworn and unsworn—any grouping that is reasonable and clearly explained in the narrative is allowable.
- Health Insurance and Pensions can vary greatly and can be averaged; and like Workers' Compensation, can sometimes be broken into sworn and unsworn.

In the Position column include a brief position description that is associated with the fringe benefits.

*The **Fringe Benefit Rate** is:*

- The rate that has been approved by the State's cognizant agency for indirect costs; or a rate that has been calculated based on the aggregate rates and/or costs of the individual items that your agency classifies as fringe benefits.
- For example, your agency pays 7.65 percent for FICA, 42.05 percent for health/life/dental insurance, and 15.1 percent for retirement. The aggregate rate of 64.8 percent (sum of the three rates) may be applied to the salaries/wages of personnel listed in the table.

*The **Base Amount** is:*

- The salary/wage costs within the proposed budget to which the fringe benefit rate will be applied.
- For example, if the total wages for all grant-funded staff is \$150,000 and the percentage of time on the grant is 50 percent, then that is the amount the fringe rate of 64.8 (from the example above) will be applied. The calculation is: $\$150,000 \times 64.8 \times 50\% / 100 = \$48,600$ Total Project Costs.

Total Project Costs equal the Fringe Benefit Rate x Percentage of Time on MCSAP grant x Base Amount divided by 100.

Fringe Benefits Project Costs							
Position(s)	Fringe Benefit Rate	% of Time on MCSAP Grant	Base Amount	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
Motor Carrier Investigator	100.0000	100.0000	\$204,368.42	\$204,368.42	\$173,713.16	\$30,655.26	\$0.00
TOTAL: Fringe Benefits				\$204,368.42	\$173,713.16	\$30,655.26	\$0.00

Enter a detailed explanation of how the fringe benefit costs were derived and allocated to the MCSAP project.

Fringe benefits are calculated with a rate approved by Office of Finance and are included on the FY 2018 Fringe Benefit Additive Rate letter attached (the State has not determined FY 2019 rate at the time of the CVSP preparation). The FY 2018 rate of 45.91 percent is being used as a placeholder pending release of the FY 2019 Fringe Rate. Such rate includes FICA, IPERS, Deferred Compensation plans, and the employer's portion of Health and Life insurance. Only actual costs will be billed.

Base amount is calculated by dividing total cost of each employee by .4591.

Part 4 Section 4 - Travel

Itemize the positions/functions of the people who will travel. Show the estimated cost of items including but not limited to, lodging, meals, transportation, registration, etc. Explain in detail how the MCSAP program will directly benefit from the travel.

Travel costs are funds for field work or for travel to professional meetings.

List the purpose, number of persons traveling, number of days, percentage of time on MCSAP Grant, and total project costs for each trip. If details of each trip are not known at the time of application submission, provide the basis for estimating the amount requested. For more information on this item see [2 CFR §200.474](#).

Total Project Costs should be determined by State users, and manually input in the table below. There is no system calculation for this budget category.

Travel Project Costs							
Purpose	# of Staff	# of Days	% of Time on MCSAP Grant	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
NE-Training Travel	5	10	100.0000	\$4,900.00	\$4,165.00	\$735.00	\$0.00
NE-Routine-Related Travel	5	25	100.0000	\$12,250.00	\$10,412.50	\$1,837.50	\$0.00
CR-Training Course	1	14	100.0000	\$2,520.00	\$2,142.00	\$378.00	\$0.00
Routine MCSAP-Related Travel	65	10	100.0000	\$63,700.00	\$54,145.00	\$9,555.00	\$0.00
CVSA Annual Conference	4	6	100.0000	\$4,800.00	\$4,080.00	\$720.00	\$0.00
CVSA Workshop	4	7	100.0000	\$7,520.00	\$6,392.00	\$1,128.00	\$0.00
FMCSA Grant Workshop	4	5	100.0000	\$3,880.00	\$3,298.00	\$582.00	\$0.00
COHMED Conference	2	6	100.0000	\$3,200.00	\$2,720.00	\$480.00	\$0.00
North American Inspector's Competition	1	7	100.0000	\$1,880.00	\$1,598.00	\$282.00	\$0.00
NAS A&B Training	12	10	100.0000	\$10,080.00	\$8,568.00	\$1,512.00	\$0.00
GHM Training	20	5	100.0000	\$8,400.00	\$7,140.00	\$1,260.00	\$0.00
CTI Training	20	5	100.0000	\$8,400.00	\$7,140.00	\$1,260.00	\$0.00
TOTAL: Travel				\$131,530.00	\$111,800.50	\$19,729.50	\$0.00

Enter a detailed explanation of how the travel costs were derived and allocated to the MCSAP project.

Travel cost represents necessary travel funds for law enforcement officers to provide adequate coverage within the state. Travel is necessary to patrol, conduct high crash corridors within the state, conduct roadside inspections and other enforcement projects and attend CVSA and other training workshops. Reimbursement is based upon the current State-approved rate.

Routine MCSAP-Related Travel:

In-state MCSAP project travel, **to include Passenger Vehicle Inspection Checks for certified PVI Officers**, for 65 officers with a \$28/day meal allowance, or \$18,200 and \$70/day hotel accommodation, or \$45,500 for a total of \$63,700.

Conference Travel:

CVSA Annual Conference in Kansas City, MO for 4 officers with an average cost per officer of \$50/day meal allowance, or \$1,200 and \$180/day hotel accommodation, or \$3,600 for a total of \$4,800.

CVSA Workshop in St. Louis, MO for 4 officers with an average cost per officer of \$450 airfare, or \$1,800; \$50/day meal allowance, or \$1,400 and \$180/day hotel accommodation, or \$4,320 for a total of \$7,520.

FMCSA Grant Workshop (location to be determined) for 4 officers with an average cost per officer of \$50/day meal allowance, or \$1,000 and \$180/day hotel accommodation, or \$2,880 for a total of \$3,880.

COHMED Conference in San Antonio, TX for 2 officers with an average cost per officer of \$400 airfare, or \$800; \$50/day meal allowance, or \$600 and \$180/day hotel accommodation, or \$1,800 for a total of \$3,200.

North American Inspector's Competition in Pittsburgh, PA for 1 officer with an average cost of \$450 airfare; \$50/day meal allowance, or \$350.00 and \$180/day hotel accommodation, or \$1,080 for a total of \$1,880.

Training Travel:

NAS A&B training for 12 officers with a \$28/day meal allowance, or \$3,360 and \$70/day hotel accommodation, or \$6,720 for a total of \$10,080.

GHM training for 20 officers with a \$28/day meal allowance, or \$2,800 and \$70/day hotel accommodation, or \$5,600 for a total of \$8,400.

CTI Training for 20 officers with a \$28/day meal allowance, or \$2,800 and \$70/day hotel accommodation, or \$5,600 for a total of \$8,400.

MVE would also like to host and participate in a PVI Training and send Officers to Field Training Officer training.

New Entrant/Compliance Review Travel:

Training Travel—Motor Carrier Investigators are required to attend quarterly training and maintain CVSA Level I, General Hazardous Material, and Cargo Tank Inspection certifications by conducting appropriate numbers of roadside inspections. Reimbursement is based upon the current state per diem rate and rules. Training for 5 Motor Carrier Investigators with a \$28/day meal allowance, or \$1,400 and \$70/day hotel accommodation, or \$3,500 for a total of \$4,900.

Routine-Related Travel—Motor Carrier Investigators are assigned to conduct SAs on interstate motor carriers, attend team meetings, etc. They are located across the state and reside within their assigned areas of service. Travel for 5 Motor Carrier Investigators with a \$28/day meal allowance, or \$3,500 and \$70/day hotel accommodation, or \$8,750 for a total of \$12,250.

CR Training Course—Iowa DOT has identified the need to send a supervisor to effectively oversee the compliance review program and Investigators. Travel costs are based on known prior expenditures for this 8-hour course, which is spread across 14 days. Travel for 1 Motor Carrier Investigator with a \$50/day meal allowance, or \$700 and \$140/night hotel accommodation, or \$1,820 for a total of \$2,520.

Part 4 Section 5 - Equipment

Equipment is tangible or intangible personal property. It includes information technology systems having a useful life of more than one year, and a per-unit acquisition cost that equals or exceeds the lesser of the capitalization level established by the non-Federal entity (i.e., the State) for financial statement purposes, or \$5,000.

- If your State's equipment capitalization threshold is below \$5,000, check the box below and provide the threshold amount. See [§200.12](#) Capital assets, [§200.20](#) Computing devices, [§200.48](#) General purpose equipment, [§200.58](#) Information technology systems, [§200.89](#) Special purpose equipment, and [§200.94](#) Supplies.

Show the total cost of equipment and the percentage of time dedicated for MCSAP related activities that the equipment will be billed to MCSAP. For example, you intend to purchase a server for \$5,000 to be shared equally among five programs, including MCSAP. The MCSAP portion of the total cost is \$1,000. If the equipment you are purchasing will be capitalized (depreciated), you may only show the depreciable amount, and not the total cost ([2 CFR §200.436](#) and [2 CFR §200.439](#)). If vehicles or large IT purchases are listed here, the applicant must disclose their agency's capitalization policy.

Provide a description of the equipment requested. Include the quantity, the full cost of each item, and the percentage of time this item will be dedicated to MCSAP grant.

Total Project Costs equal the Number of Items x Full Cost per Item x Percentage of Time on MCSAP grant.

Equipment Project Costs							
Item Name	# of Items	Full Cost per Item	% of Time on MCSAP Grant	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
Lidar unit with FTC and video	1	\$5,100.00	100	\$5,100.00	\$4,335.00	\$765.00	\$0.00
TOTAL: Equipment				\$5,100.00	\$4,335.00	\$765.00	\$0.00
Equipment threshold is greater than \$5,000.							

Enter a detailed explanation of how the equipment costs were derived and allocated to the MCSAP project.

MVE is focused on reducing CMV crash fatalities and has adopted Iowa's Zero Fatalities initiative. Two leading contributors to CMV crashes is Following Too Close and speeding. This Lidar unit has the capability to record an event where an officer can measure the distance from a vehicle to a CMV to determine the length of separation between the two vehicles. The unit can also measure the speed of a vehicle traveling on the interstate system. The Lidar unit will be used by MVE Officers dedicated to the MCSAP project.

The Lidar unit was priced using Law Enforcement equipment provider websites and will have to be vetted through the state's purchasing procedures.

Part 4 Section 6 - Supplies

Supplies means all tangible property other than that described in [§200.33](#) Equipment. A computing device is a supply if the acquisition cost is less than the lesser of the capitalization level established by the non-Federal entity for financial statement purposes or \$5,000, regardless of the length of its useful life. See also [§200.20](#) Computing devices and [§200.33](#) Equipment.

Estimates for supply costs may be based on the same allocation as personnel. For example, if 35 percent of officers' salaries are allocated to this project, you may allocate 35 percent of your total supply costs to this project. A different allocation basis is acceptable, so long as it is reasonable, repeatable and logical, and a description is provided in the narrative.

Provide a description of each unit/item requested, including the quantity of each unit/item, the unit of measurement for the unit/item, the cost of each unit/item, and the percentage of time on MCSAP grant.

Total Project Costs equal the Number of Units x Cost per Unit x Percentage of Time on MCSAP grant.

Supplies Project Costs							
Item Name	# of Units/ Unit of Measurement	Cost per Unit	% of Time on MCSAP Grant	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
NE-Supplies	1 Annual	\$2,976.92	100.0000	\$2,976.92	\$2,530.38	\$446.54	\$0.00
Office Supplies	1 Annual	\$3,106.38	100.0000	\$3,106.38	\$2,640.42	\$465.96	\$0.00
CMV Post Crash Trailer	1 1	\$4,999.00	100.0000	\$4,999.00	\$4,249.15	\$749.85	\$0.00
CMV Post Crash Supplies	1 1	\$4,500.00	100.0000	\$4,500.00	\$3,825.00	\$675.00	\$0.00
TOTAL: Supplies				\$15,582.30	\$13,244.95	\$2,337.35	\$0.00

Enter a detailed explanation of how the supply costs were derived and allocated to the MCSAP project.

NE-Supplies include paper, pens, in-car printer paper, travel printer ink and paper and other miscellaneous items used by officers to perform and support NE related expenses. Supply costs are based on known past expenditures.

Office Supplies include paper, pens, in-car printer paper and other miscellaneous items used by officers to perform and support traditional MCSAP related expenses. Supply costs are based on known past expenditures. MVE is expanding the CMV post-crash inspection program by purchasing supplies to include tools, generator, air compressor and a trailer to mobilize to the CMV crash or impound site. Cost basis is based on known past cost for similar item. Supplies for the CMV Post Crash Trailer are purchased through state contract and DOT warehouse inventory.

Part 4 Section 7 - Contractual and Subaward

This section includes contractual costs and subawards to subrecipients. Use the table below to capture the information needed for both contractual agreements and subawards. The definitions of these terms are provided so the instrument type can be entered into the table below.

Contractual – A contract is a legal instrument by which a non-Federal entity purchases property or services needed to carry out the project or program under a Federal award ([2 CFR §200.22](#)). All contracts issued under a Federal award must comply with the standards described in [2 CFR §200 Procurement Standards](#).

Note: Contracts are separate and distinct from subawards; see [2 CFR §200.330](#) for details.

Subaward – A subaward is an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract ([2 CFR §200.92](#) and [2 CFR §200.330](#)).

Subrecipient - Subrecipient means a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program, but does not include an individual who is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency ([2 CFR §200.93](#)).

Enter the legal name of the vendor or subrecipient if known. If unknown at this time, please indicate 'unknown' in the legal name field. Include a description of services for each contract or subaward listed in the table. Entering a statement such as "contractual services" with no description will not be considered meeting the requirement for completing this section.

Enter the DUNS or EIN number of each entity. There is a drop-down option to choose either DUNS or EIN, and then the State must enter the corresponding identification number.

Select the Instrument Type by choosing either Contract or Subaward for each entity.

Total Project Costs should be determined by State users and input in the table below. The tool does not automatically calculate the total project costs for this budget category.

Operations and Maintenance-If the State plans to include O&M costs that meet the definition of a contractual or subaward cost, details must be provided in the table and narrative below.

Please describe the activities these costs will be using to support (i.e., ITD, PRISM, SSDQ or other services.)

Contractual and Subaward Project Costs							
Legal Name	DUNS/EIN Number	Instrument Type	% of Time on MCSAP Grant	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
Department of Public Safety-Iowa State Patrol	DUNS 808349021	Subrecipient	100.0000	\$1,824,233.13	\$1,550,598.16	\$273,634.97	\$0.00
Description of Services: Roadside Inspections							
TOTAL: Contractual and Subaward				\$1,824,233.13	\$1,550,598.16	\$273,634.97	\$0.00

Enter a detailed explanation of how the contractual and subaward costs were derived and allocated to the MCSAP project.

Per directive from the Governor's Office, 35 percent of the MCSAP formula funding is provided to the Iowa Department Public Safety, Iowa State Patrol, to execute roadside inspection activities. As the lead agency, MVE will have a complete budget and project spending plan on file.

Part 4 Section 8 - Other Costs

Other Costs are those not classified elsewhere and are allocable to the Federal award. These costs must be specifically itemized and described. The total costs and allocation bases must be explained in the narrative. Examples of Other Costs may include utilities and/or leased equipment, employee training tuition, meeting registration costs, etc. The quantity, unit of measurement (e.g., monthly, annually, each, etc.), unit cost, and percentage of time on MCSAP grant must be included.

Operations and Maintenance—If the State plans to include O&M costs that do not meet the definition of a contractual or subaward cost, details must be provided in the table and narrative below. Please identify these costs as ITD O&M, PRISM O&M, or SSDQ O&M. Sufficient detail must be provided in the narrative that explains what components of the specific program are being addressed by the O&M costs.

Enter a description of each requested Other Cost.

Enter the number of items/units, the unit of measurement, the cost per unit/item, and the percentage of time dedicated to the MCSAP grant for each Other Cost listed. Show the cost of the Other Costs and the portion of the total cost that will be billed to MCSAP. For example, you intend to purchase air cards for \$2,000 to be shared equally among five programs, including MCSAP. The MCSAP portion of the total cost is \$400.

Total Project Costs equal the Number of Units x Cost per Item x Percentage of Time on MCSAP grant.

Indirect Costs

Information on Indirect Costs ([2 CFR §200.56](#)) is captured in this section. This cost is allowable only when an approved indirect cost rate agreement has been provided. Applicants may charge up to the total amount of the approved indirect cost rate multiplied by the eligible cost base. Applicants with a cost basis of salaries/wages and fringe benefits may only apply the indirect rate to those expenses. Applicants with an expense base of modified total direct costs (MTDC) may only apply the rate to those costs that are included in the MTDC base ([2 CFR §200.68](#)).

- **Cost Basis** — is the accumulated direct costs (normally either total direct salaries and wages or total direct costs exclusive of any extraordinary or distorting expenditures) used to distribute indirect costs to individual Federal awards. The direct cost base selected should result in each Federal award bearing a fair share of the indirect costs in reasonable relation to the benefits received from the costs.
- **Approved Rate** — is the rate in the approved Indirect Cost Rate Agreement.
- **Eligible Indirect Expenses** — means after direct costs have been determined and assigned directly to Federal awards and other activities as appropriate. Indirect costs are those remaining to be allocated to benefitted cost objectives. A cost may not be allocated to a Federal award as an indirect cost if any other cost incurred for the same purpose, in like circumstances, has been assigned to a Federal award as a direct cost.
- **Total Indirect Costs** equal Approved Rate x Eligible Indirect Expenses divided by 100.

Your State will not claim reimbursement for Indirect Costs.

Other Costs Project Costs							
Item Name	# of Units/ Unit of Measurement	Cost per Unit	% of Time on MCSAP Grant	Total Project Costs (Federal + State)	Federal Share	State Share	MOE
NE-Vehicle Fleet Cost	114521 Yearly	\$0.35	100.0000	\$40,082.35	\$34,070.00	\$6,012.35	\$0.00
HazMat 49 CFR	105 Yearly	\$17.00	100.0000	\$1,785.00	\$1,517.25	\$267.75	\$0.00
FMCSR	135 Yearly	\$8.00	100.0000	\$1,080.00	\$918.00	\$162.00	\$0.00
CVSA OOS Criteria	135 Yearly	\$25.00	100.0000	\$3,375.00	\$2,868.75	\$506.25	\$0.00
CVSA Membership Dues	1 Yearly	\$7,900.00	100.0000	\$7,900.00	\$6,715.00	\$1,185.00	\$0.00
CVSA Decals	1275 Yearly	\$3.36	100.0000	\$4,284.00	\$3,641.40	\$642.60	\$0.00
Laptop Air Cards	98 Yearly	\$327.99	100.0000	\$32,143.02	\$27,321.57	\$4,821.45	\$0.00
Vehicle Fleet Cost	1850246 Yearly	\$0.35	100.0000	\$647,586.10	\$550,448.10	\$97,138.00	\$0.00
TOTAL: Other Costs				\$738,235.47	\$627,500.07	\$110,735.40	\$0.00

Enter a detailed explanation of how the 'other' costs were derived and allocated to the MCSAP project.

HazMat 49 CFR books are updated yearly and utilized by all officers and MVE staff for a total cost of \$1,785 (105 @ 17 ea.).

FMCSR books are updated yearly and utilized by all officers, MVE staff and ISP troopers for a total cost of \$1,080 (135 @ 8 ea.).

CVSA OOS Criteria books are updated yearly and utilized by all officers and ISP troopers for a total cost of \$3,375 (135 @ \$25 ea.).

CVSA Membership Dues are paid yearly for a total cost of \$7,900.

CVSA Decals are ordered and assigned to each officers for use while performing inspections. Decals are ordered based on the average usage per quarter, which totals 1,275 per year at a cost of \$4,284.

Laptop air cards are used to conduct PRISM checks, which total \$327.99/year for each officer, or total cost of \$32,143.02. While there may be some incidental non-MCSAP usage of these devices, the service would not exist aside from the need to utilize it for its primary function, which is performing these PRISM checks. Because the State would otherwise not have these services at all, and the services are so heavily dedicated towards MCSAP usage with only inconsequential non-MCSAP usage, which cannot be reasonably measured or prorated, MVE does not propose to pro-rate these costs comensurate with PARs and will instead bill 100% to the grant.

Vehicle fleet costs are generated from the purchase of fuel for each officer's vehicle, other expenses (e.g., parts for repair to vehicles, fluids, windshield wipers, etc), and labor expenses. These expenses are added together and divided by mileage recorded on each officer's time sheet. Iowa DOT vehicle costs rate as of July 2018 for E85 Enforcement Vehicles is figured at per mile rate of 0.35. Costs shown are related to MCSAP activity.

Part 4 Section 9 - Comprehensive Spending Plan

The Comprehensive Spending Plan is auto-populated from all line items in the tables and is in read-only format. Changes to the Comprehensive Spending Plan will only be reflected by updating the individual budget category table(s).

ESTIMATED Fiscal Year Funding Amounts for MCSAP

	85% Federal Share	15% State Share	Total Estimated Funding
Total	\$5,009,303.00	\$883,301.00	\$5,892,604.00

Summary of MCSAP Funding Limitations

Allowable amount for Overtime without written justification (15% of Basic Award Amount):	\$883,301.00
MOE Baseline:	\$747,966.49

Estimated Expenditures
Personnel

	Federal Share	State Share	Total Project Costs (Federal + Share)	MOE
Lieutenant	\$38,996.61	\$5,324.03	\$44,320.64	\$0.00
Special Operations Captain	\$46,714.98	\$8,243.82	\$54,958.80	\$0.00
Grant Manager	\$38,854.45	\$6,856.67	\$45,711.12	\$0.00
Motor Carrier Investigator	\$305,333.60	\$53,882.40	\$359,216.00	\$0.00
Secretary 2	\$14,968.77	\$2,641.55	\$17,610.32	\$0.00
Assistant Chief	\$23,392.05	\$4,128.01	\$27,520.06	\$0.00
Chief	\$34,152.46	\$6,026.90	\$40,179.36	\$0.00
Captain	\$89,836.50	\$15,853.50	\$105,690.00	\$0.00
Captain-Training	\$16,529.92	\$2,917.04	\$19,446.96	\$0.00
Sergeant	\$145,825.73	\$26,597.95	\$172,423.68	\$0.00
HM Specialist	\$91,600.08	\$16,164.72	\$107,764.80	\$0.00
Officer	\$1,590,262.96	\$280,634.64	\$1,870,897.60	\$800,365.74
Sergeant-Training	\$14,656.01	\$2,586.35	\$17,242.36	\$0.00
NE Captain of Special Operations	\$25,154.22	\$4,438.98	\$29,593.20	\$0.00
NE Grant Manager	\$20,921.63	\$3,692.05	\$24,613.68	\$0.00
Salary Subtotal	\$2,497,199.97	\$439,988.61	\$2,937,188.58	\$800,365.74
Sergeant	\$4,844.24	\$854.86	\$5,699.10	\$0.00
Officer	\$26,066.95	\$4,600.05	\$30,667.00	\$0.00
Overtime subtotal	\$30,911.19	\$5,454.91	\$36,366.10	\$0.00
Personnel total	\$2,528,111.16	\$445,443.52	\$2,973,554.68	\$800,365.74

Fringe Benefits

	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Motor Carrier Investigator	\$173,713.16	\$30,655.26	\$204,368.42	\$0.00
Fringe Benefits total	\$173,713.16	\$30,655.26	\$204,368.42	\$0.00

Travel				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
NE-Training Travel	\$4,165.00	\$735.00	\$4,900.00	\$0.00
NE-Routine-Related Travel	\$10,412.50	\$1,837.50	\$12,250.00	\$0.00
CR-Training Course	\$2,142.00	\$378.00	\$2,520.00	\$0.00
Routine MCSAP-Related Travel	\$54,145.00	\$9,555.00	\$63,700.00	\$0.00
CVSA Annual Conference	\$4,080.00	\$720.00	\$4,800.00	\$0.00
CVSA Workshop	\$6,392.00	\$1,128.00	\$7,520.00	\$0.00
FMCSA Grant Workshop	\$3,298.00	\$582.00	\$3,880.00	\$0.00
COHMED Conference	\$2,720.00	\$480.00	\$3,200.00	\$0.00
North American Inspector's Competition	\$1,598.00	\$282.00	\$1,880.00	\$0.00
NAS A&B Training	\$8,568.00	\$1,512.00	\$10,080.00	\$0.00
GHM Training	\$7,140.00	\$1,260.00	\$8,400.00	\$0.00
CTI Training	\$7,140.00	\$1,260.00	\$8,400.00	\$0.00
Travel total	\$111,800.50	\$19,729.50	\$131,530.00	\$0.00

Equipment				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Lidar unit with FTC and video	\$4,335.00	\$765.00	\$5,100.00	\$0.00
Equipment total	\$4,335.00	\$765.00	\$5,100.00	\$0.00

Supplies				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
NE-Supplies	\$2,530.38	\$446.54	\$2,976.92	\$0.00
Office Supplies	\$2,640.42	\$465.96	\$3,106.38	\$0.00
CMV Post Crash Trailer	\$4,249.15	\$749.85	\$4,999.00	\$0.00
CMV Post Crash Supplies	\$3,825.00	\$675.00	\$4,500.00	\$0.00
Supplies total	\$13,244.95	\$2,337.35	\$15,582.30	\$0.00

Contractual and Subaward				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Department of Public Safety-Iowa State Patrol	\$1,550,598.16	\$273,634.97	\$1,824,233.13	\$0.00
Contractual and Subaward total	\$1,550,598.16	\$273,634.97	\$1,824,233.13	\$0.00

Other Costs				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
NE-Vehicle Fleet Cost	\$34,070.00	\$6,012.35	\$40,082.35	\$0.00
HazMat 49 CFR	\$1,517.25	\$267.75	\$1,785.00	\$0.00
FMCSR	\$918.00	\$162.00	\$1,080.00	\$0.00
CVSA OOS Criteria	\$2,868.75	\$506.25	\$3,375.00	\$0.00
CVSA Membership Dues	\$6,715.00	\$1,185.00	\$7,900.00	\$0.00
CVSA Decals	\$3,641.40	\$642.60	\$4,284.00	\$0.00
Laptop Air Cards	\$27,321.57	\$4,821.45	\$32,143.02	\$0.00
Vehicle Fleet Cost	\$550,448.10	\$97,138.00	\$647,586.10	\$0.00
Other Costs total	\$627,500.07	\$110,735.40	\$738,235.47	\$0.00

Total Costs				
	Federal Share	State Share	Total Project Costs (Federal + State)	MOE
Subtotal for Direct Costs	\$5,009,303.00	\$883,301.00	\$5,892,604.00	\$800,365.74
Total Costs Budgeted	\$5,009,303.00	\$883,301.00	\$5,892,604.00	\$800,365.74

Part 4 Section 10 - Financial Summary

The Financial Summary is auto-populated by the system by budget category. It is a read-only document and can be used to complete the SF-424A in Grants.gov. Changes to the Financial Summary will only be reflected by updating the individual budget category table(s).

- The system will confirm that percentages for Federal and State shares are correct for Total Project Costs. The edit check is performed on the **"Total Costs Budgeted"** line only.
- The system will confirm that Planned MOE Costs equal or exceed FMCSA funding limitation. The edit check is performed on the **"Total Costs Budgeted"** line only.
- The system will confirm that the Overtime value does not exceed the FMCSA funding limitation. The edit check is performed on the **"Overtime subtotal"** line.

ESTIMATED Fiscal Year Funding Amounts for MCSAP			
	85% Federal Share	15% State Share	Total Estimated Funding
Total	\$5,009,303.00	\$883,301.00	\$5,892,604.00

Summary of MCSAP Funding Limitations	
Allowable amount for Overtime without written justification (15% of Basic Award Amount):	\$883,301.00
MOE Baseline:	\$747,966.49

Estimated Expenditures				
	Federal Share	State Share	Total Project Costs (Federal + State)	Planned MOE Costs
Salary Subtotal	\$2,497,199.97	\$439,988.61	\$2,937,188.58	\$800,365.74
Overtime Subtotal	\$30,911.19	\$5,454.91	\$36,366.10	\$0.00
Personnel Total	\$2,528,111.16	\$445,443.52	\$2,973,554.68	\$800,365.74
Fringe Benefits Total	\$173,713.16	\$30,655.26	\$204,368.42	\$0.00
Travel Total	\$111,800.50	\$19,729.50	\$131,530.00	\$0.00
Equipment Total	\$4,335.00	\$765.00	\$5,100.00	\$0.00
Supplies Total	\$13,244.95	\$2,337.35	\$15,582.30	\$0.00
Contractual and Subaward Total	\$1,550,598.16	\$273,634.97	\$1,824,233.13	\$0.00
Other Costs Total	\$627,500.07	\$110,735.40	\$738,235.47	\$0.00
	85% Federal Share	15% State Share	Total Project Costs (Federal + State)	Planned MOE Costs
Subtotal for Direct Costs	\$5,009,303.00	\$883,301.00	\$5,892,604.00	\$800,365.74
Indirect Costs	\$0.00	\$0.00	\$0.00	NA
Total Costs Budgeted	\$5,009,303.00	\$883,301.00	\$5,892,604.00	\$800,365.74

Part 5 - Certifications and Documents

Part 5 includes electronic versions of specific requirements, certifications and documents that a State must agree to as a condition of participation in MCSAP. The submission of the CVSP serves as official notice and certification of compliance with these requirements. State or States means all of the States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, and the Virgin Islands.

If the person submitting the CVSP does not have authority to certify these documents electronically, then the State must continue to upload the signed/certified form(s) through the "My Documents" area on the State's Dashboard page.

Part 5 Section 1 - State Certification

The State Certification will not be considered complete until the four questions and certification declaration are answered. Selecting 'no' in the declaration may impact your State's eligibility for MCSAP funding.

1. What is the name of the person certifying the declaration for your State? David J. Lorenzen
2. What is this person's title? Chief
3. Who is your Governor's highway safety representative? Patrick Hoye, Department of Public Safety, GTSB
4. What is this person's title? Bureau

The State affirmatively accepts the State certification declaration written below by selecting 'yes'.

- ☒ Yes
- ☐ Yes, uploaded certification document
- ☐ No

State Certification declaration:

I, David J. Lorenzen, Chief, on behalf of the State of IOWA, as requested by the Administrator as a condition of approval of a grant under the authority of [49 U.S.C. § 31102](#), as amended, certify that the State satisfies all the conditions required for MCSAP funding, as specifically detailed in [49 C.F.R. § 350.211](#).

If there are any exceptions that should be noted to the above certification, include an explanation in the text box below.

Part 5 Section 2 - Annual Review of Laws, Regulations, Policies and Compatibility Certification

You must answer all three questions and indicate your acceptance of the certification declaration. Selecting 'no' in the declaration may impact your State's eligibility for MCSAP funding.

1. What is the name of your certifying State official? David J. Lorenzen
2. What is the title of your certifying State official? Chief
3. What are the phone # and email address of your State official? 515-237-3218 david.lorenzen@iowadot.us

The State affirmatively accepts the compatibility certification declaration written below by selecting 'yes'.

- ☒ Yes
- ☐ Yes, uploaded certification document
- ☐ No

I, David J. Lorenzen, certify that the State has conducted the annual review of its laws and regulations for compatibility regarding commercial motor vehicle safety and that the State's safety laws remain compatible with the Federal Motor Carrier Safety Regulations (49 CFR parts 390-397) and the Hazardous Materials Regulations (49 CFR parts 107 (subparts F and G only), 171-173, 177, 178, and 180) and standards and orders of the Federal government, except as may be determined by the Administrator to be inapplicable to a State enforcement program. For the purpose of this certification, Compatible means State laws or regulations pertaining to interstate commerce that are identical to the FMCSRs and HMRs or have the same effect as the FMCSRs and identical to the HMRs and for intrastate commerce rules identical to or within the tolerance guidelines for the FMCSRs and identical to the HMRs.

If there are any exceptions that should be noted to the above certification, include an explanation in the text box below.

MCSAP REVIEW - REGULATORY FINDINGS AND PROGRESS IA/FI-1a As written, Iowa Code section 321.449, paragraph 7, is incompatible due to a lack of clarity on applicability based on, vehicle weight, and hazardous material or passenger vehicle usages. This issue has been discussed at meetings with representatives of the trucking, construction, and agricultural industries. Amended Code language to achieve the necessary level of clarity and compatibility is still needed. IA/FI-1b Iowa Code section 321.449, paragraph 4, includes driver exceptions for intrastate farm operations, but the exception language is broader than the federal exception for "Farm Vehicle Drivers." Having been enacted in 1995, the exception is not eligible for consideration as an industry exception under the tolerance guidelines. The issue has been discussed with representatives of the agricultural industry and work on resolution of this issue will continue in 2018 along with implementation of MAP-21 amendments. Other agricultural interest still remains undefined. IA/FI-1c Iowa Code section 321.450, paragraph 3, provides an exception for minimum driver age on intrastate drivers employed by retail dealers of petroleum and fertilizer products. Incompatibility is based upon the code language lacking sufficient clarity and not clearly limiting the exception to intrastate commerce only. The issue has been presented to representatives of the petroleum and agricultural industries. Efforts to resolve this issue will continue in 2018. IA/FI-1d Iowa Code section 321.449, paragraph 4 and Iowa Administrative Code 761.520-4(1) make references to each other and provide for a broad exception from Parts 391 and 395 intended for intrastate drivers employed by retail dealers of petroleum and fertilizer products. As written, the exceptions have been deemed incompatible due to lack of clarity and the possibility that they are too broad scope. These two codes are the issues have been discussed with representatives of the trucking, construction, and agricultural industries. Amended Code language to achieve the necessary level of clarity and compatibility needed is being developed and will be proposed for the 2018 legislative session. IA/FI-1e Iowa Code section 321.449, paragraph 5 provides an exception intended to grandfather intrastate drivers with medical conditions precluding medical qualification that existed prior to the state adopting Part 391 rules for intrastate drivers. As written, the section lacks sufficient clarity and does not require the drivers to meet all of the requirements necessary to be an approved variance. This issue has been discussed with representatives of the trucking, construction, and agricultural industries. Amended code language to achieve the necessary level of clarity and compatibility is still needed. IA/FI-1f Iowa Code section 321.449, paragraph 1 and Iowa Administration Code 761-520.1(2)(c) are intended to require compliance to Hours of Service rules in Part 395 by intrastate drivers of for-hire passenger carrying vehicles with a seating capacity of 7 to 8 and 9 to 15 persons. The requirement was declared incompatible during the 2008 MCSAP Review because it was more stringent than the federal rules for

vehicles this size, due to drivers of 9 to 15 capacity vehicles operating for direct compensation within a 75-mile radius being eligible for a Part 395 exception in 390.3(f)(6)(ii). Further, it was stated the Iowa Code language lacked clarity and could be interpreted to include vehicles operated in interstate commerce. On February 1, 2010, the FMCSA published a Final Rule in the Federal Register, Volume 75, No. 20, which has bearing on this finding. The Final Rule removed from the FMCSR the exception in 390.3(f)(6)(ii) which allowed 9-15 passenger vehicles used for direct compensation within 75 air miles of their work reporting location to be relieved of compliance to regulations in Parts 395. The Final Rule became effective on May 3, 2010 with compliance by for-hire carriers using 9 to 15 capacity passenger vehicles required by June 1, 2010. Now in effect, the exception in 390.3(f)(6)(ii) is removed from the FMCSR and the conflict between the Iowa Hours of Services rules for 9-15 passenger for-hire vehicles and the FMCSR no longer exists. Because the FMCSR are also silent regarding rules for passenger carrying vehicles with seating capacities of less than nine persons that don't otherwise meet the definition of a commercial vehicle, the Iowa Hours of Service rules applicable to vehicles with a seating capacity of seven or eight passengers is more stringent than federal rules, not in conflict with any federal exceptions, and also compatible. IA/FI-1h Iowa Administrative Code 761.520.3(1) contains an exception from annual vehicle inspection requirements that was determined to be partially incompatible because it appears to go beyond regulatory guidance found in Part 390.5 for off-road equipment and agricultural equipment. Many vehicles subject to this exception are operated by the construction and road building industries, and include vehicles such as mobile cranes, concrete pumps, and other truck-chassis mounted equipment. Agricultural equipment could potentially be interpreted to include nurse tanks. Due to the lack of clarity of this language, meetings have been held with representatives of the trucking, construction, and agricultural communities.

Part 5 Section 3 - New Laws/Legislation/Policy Impacting CMV Safety
--

Has the State adopted/enacted any new or updated laws (i.e., statutes) impacting CMV safety since the last CVSP or annual update was submitted?

☒ Yes ☐ No

In the table below, please provide the bill number and effective date of any new legislation. Include the code section which was changed because of the bill and provide a brief description of the legislation. Please include a statute number, hyperlink or URL, in the summary. Do NOT include the actual text of the Bill as that can be very lengthy.

Legislative Adoption			
Bill Number	Effective Date	Code Section Changed	Summary of Changes
HF2196	07/01/2018	321.449B	Relating to Texting or Using a Mobile Telephone while Operating a Commercial Motor Vehicle-links existing state prohibition to corresponding ADC code to initiate driver disqualification per 383.51

Has the State adopted/enacted any new administrative actions or policies impacting CMV safety since the last CVSP?

☐ Yes ☒ No



KIM REYNOLDS
GOVERNOR

OFFICE OF THE GOVERNOR

ADAM GREGG
LT GOVERNOR

March 21, 2018

The Honorable Paul Pate
Secretary of State of Iowa
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit:

House File 2196, an Act relating to texting or using a mobile telephone while operating a commercial motor vehicle, providing penalties, and making penalties applicable.

The above House File is hereby approved this date.

Sincerely,

A handwritten signature in black ink, appearing to read "Kim Reynolds".

Kim Reynolds
Governor

cc: Secretary of the Senate
Clerk of the House



House File 2196

AN ACT

RELATING TO TEXTING OR USING A MOBILE TELEPHONE WHILE OPERATING
A COMMERCIAL MOTOR VEHICLE, PROVIDING PENALTIES, AND MAKING
PENALTIES APPLICABLE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 321.482A, unnumbered paragraph 1, Code 2018, is amended to read as follows:

Notwithstanding section 321.482, a person who is convicted of operating a motor vehicle in violation of section 321.178, subsection 2, paragraph "a", subparagraph (2), section 321.180B, subsection 6, section 321.194, subsection 2, paragraph "b", subparagraph (2), section 321.256, 321.257, section 321.275, subsection 4, section 321.276, 321.297, 321.298, 321.299, 321.302, 321.303, 321.304, 321.305, 321.306, 321.307, 321.308, section 321.309, subsection 2, ~~or~~ section 321.311, 321.319, 321.320, 321.321, 321.322, 321.323, 321.324, 321.324A, 321.327, 321.329, 321.333, ~~or~~ section 321.372, subsection 3, or section 321.449B, causing serious injury to or the death of another person may be subject to the following penalties in addition to the penalty provided for a scheduled violation in section 805.8A or any other penalty provided by law:

Sec. 2. NEW SECTION. 321.449B Texting or using a mobile telephone while operating a commercial motor vehicle.

1. a. A person subject to rules adopted by the department pursuant to section 321.449 shall not operate a commercial

motor vehicle while engaged in texting as prohibited by 49 C.F.R. §392.80, except in an emergency or as otherwise permitted under 49 C.F.R. §392.80.

b. A person subject to rules adopted by the department pursuant to section 321.449 shall not operate a commercial motor vehicle while using a hand-held mobile telephone as prohibited by 49 C.F.R. §392.82, except in an emergency or as otherwise permitted under 49 C.F.R. §392.82.

2. a. A person convicted of a violation of this section is guilty of a simple misdemeanor punishable as a scheduled violation under section 805.8A, subsection 13, paragraph "b".

b. A violation of this section shall be considered a moving violation for the purposes of this chapter and rules adopted pursuant to this chapter.

c. A conviction for a violation of this section shall be in lieu of a conviction for a violation of section 321.276 if the violations are based on the same facts and circumstances.

Sec. 3. Section 805.8A, subsection 13, paragraph b, Code 2018, is amended to read as follows:

b. For a violation under section 321.449, ~~or~~ 321.449A, or 321.449B, the scheduled fine is fifty dollars.


LINDA UPMEYER

Speaker of the House


CHARLES SCHNEIDER

President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2196, Eighty-seventh General Assembly.


CARMINE BOAL

Chief Clerk of the House

Approved March 21st, 2018


KIM REYNOLDS

Governor



A handwritten signature in black ink, appearing to be 'Ch', is located to the right of the IOWA DOT logo.

Date August 25, 2017
To Patty King, Office of Finance
From Matt Swanson, External Audits
Subject FY 2018 Fringe Benefit Additive Rate

Handwritten initials 'M. D.' in black ink, located to the right of the 'From' line.

We have reviewed the mathematical calculations of the proposed FY 2018 Fringe Benefit Additive Rate as developed by Accounting. We find that the schedule provided to us contains calculations similar to previous years, as described in a document entitled Accounting Operating Instructions - 1995 revision.

We have attached a simplified schedule that reflects the calculations provided by Project Accounts and Payables for the additive rate of employer related payroll taxes of 45.91%. Such rate includes FICA, IPERS, deferred compensation plans and the employer's portion of employee health and life insurance.



U.S. Department
of Transportation

Federal Motor Carrier
Safety Administration

1200 New Jersey Avenue, SE
Washington, DC 20590

August 22, 2017

In Reply Refer To: MC-CR
FY 2018 Pre-Award IADOT

Mr. Mark Lowe, Director
Iowa Department of Transportation
800 Lincoln Way
Ames, IA 50010

Dear Mr. Lowe:

We are in receipt of the Iowa Department of Transportation's (DOT) Federal Motor Carrier Safety Administration (FMCSA) Title VI Program Compliance Plan. We have reviewed your FMCSA Title VI Program Compliance Plan and find that the Plan contains all elements stipulated in the FMCSA Title VI Program Compliance Plan Checklist. Therefore, FMCSA approves the Iowa DOT's Title VI Program Compliance Plan for Federal Fiscal Year (FY) 2018. We do request that the Iowa DOT notify FMCSA's Office of Civil Rights should it be the object of a Title VI Program compliance review conducted by another Federal agency. In this eventuality, we will coordinate with the Iowa DOT to ensure that the Title VI Program Compliance Plan is updated with the additional information.


On an annual basis, FMCSA's Office of Civil Rights will conduct compliance reviews of a representative sampling of FMCSA Grant Recipients. FMCSA has approximately 125 Recipients annually. If and/or when the Iowa DOT is chosen as one of the FMCSA Grant Recipients' Title VI Program that will be reviewed in a given year, the Office of Civil Rights will use the approved Title VI Program Compliance Plan as the basis for conducting the desk audit and will request additional documentation as deemed appropriate during the review.

In addition, a small number of Recipients who are selected for a Title VI Program compliance review will also be selected for an on-site visit which will include personnel interviews. We appreciate your future assistance in the event the Iowa DOT is chosen for a compliance review in a given year.

If at any time your Agency has Title VI Program-related questions, please do not hesitate to contact Mr. Lester Finkle, National Title VI Program Manager at (202) 366-4474 or lester.finkle@dot.gov.

Sincerely,

Handwritten signature of Lester D. Finkle II in blue ink.

for Kennie J. May, Sr.
Director
Office of Civil Rights

Cc: Karen Kienast, Civil Rights Coordinator, Iowa DOT
Melissa Spiegel, Office of Vehicle and Motor Carrier Services Director, Iowa DOT
Shirley McGuire, Division Administrator, Iowa Division Office
Jeremy Dugger, State Program Specialist, Iowa Division Office



Title VI Program Plan

Ensuring Justice

October 1, 2017

Mark Lowe

Director

Lee Wilkinson

Operations and Finance Division Director

Todd Sadler

Office of Employee Services Director

Karen Kienast

Civil Rights Coordinator, Team Leader
Office of Employee Services

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SECTION 1

PROGRAM OVERVIEW

Introduction

The Iowa Department of Transportation (Iowa DOT) is a recipient of Federal Financial Assistance. All recipients are required to comply with various nondiscrimination laws and regulations, including Title VI of the Civil Rights Act of 1964 which forbids discrimination against anyone in the United States because of race, color, or national origin by any agency receiving Federal Funds. The Federal-Aid Highway Act of 1973 added the requirement that there be no discrimination on the grounds of sex. Additionally, the Civil Rights Restoration Act of 1987 defined the word “program” to make clear that discrimination is prohibited throughout an entire agency if any part of the agency receives Federal Financial Assistance.

The Iowa DOT is to ensure that none of its activities or programs treats any part of the community any differently than another. The Iowa DOT expects every manager, supervisor, employee, and sub-recipient of Federal-Aid Funds administered by the Iowa DOT to be aware of and apply the intent of Title VI of the Civil Rights Act of 1964 in performing assigned duties.

The Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) require recipients of Federal-Aid Funds to prepare a plan to clarify roles, responsibilities, and procedures established to ensure compliance with Title VI of the Civil Rights Act of 1964.

The Iowa DOT's Title VI Program Plan focuses on functional areas with significant public contact responsibilities and provides the policy direction necessary to ensure compliance with Title VI of the Civil Rights Act of 1964.

Policy statement of nondiscrimination

The Iowa Department of Transportation, hereinafter referred to as the Iowa DOT, through enactment of this program, hereby assures that no person shall on the grounds of race, color, national origin, sex, age, disability, low-income or LEP (see also: *Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, and the Civil Rights Restoration Act of 1987, Pub. L. No. 100-259, 102 Stat. 28*) be excluded from participation in, be denied the benefits of or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance. The Iowa DOT further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, regardless of whether those programs and activities are federally funded.

It is the policy of the Iowa DOT to comply with: *49 CFR Part 21; 49 CFR Part 303*; Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e; Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107; Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. §§ 4601-4655; 1973 Federal Aid Highway Act, 23 U.S.C. § 324; Title IX of the Education Amendments of 1972, Pub. L. No. 92-318, 86 Stat. 235; Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §§ 701 et seq; Civil Rights Restoration Act of 1987, Pub. L. No. 100-259, 102 Stat. 28; Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101 et seq.; Title VIII of the Civil Rights Act 1968, 42 U.S.C. §§ 3601-3631; Exec. Order No. 12898, 59 Fed. Reg. 7629 (1994) (Federal Actions to Address

Environmental Justice in Minority Populations and Low-Income Populations); and Exec. Order No. 13166, 65 Fed. Reg. 50121 (2000) (Improving Access to Services for Persons with Limited English Proficiency) and the FMSCA Title VI Program Assurance (see: page ***)

The Civil Rights Restoration Act of 1987, Pub. L. No. 100-259, 102 Stat. 28, broadened the scope of Title VI coverage by expanding the definition of terms “programs or activities” to include all programs or activities of federal-aid recipients, subrecipients and contractors/consultants, regardless of whether such programs and activities are federally assisted.

Pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112, 87 Stat. 355, the Iowa DOT hereby gives assurance that no qualified disabled person shall, solely by reason of disability, be excluded from participation in, be denied the benefits of or otherwise be subjected to discrimination, including discrimination in employment, under any program or activity that receives or benefits from this federal financial assistance.

The Iowa DOT also assures that every effort will be made to prevent discrimination through the impacts of its programs, policies and activities on minority and low-income populations. In addition, the Iowa DOT will take reasonable steps to provide meaningful access to services for persons with limited-English proficiency. The Iowa DOT will, where necessary and appropriate, revise, update and incorporate nondiscrimination requirements into appropriate manuals, directives and regulations.

In the event the Iowa DOT distributes federal-aid funds to a second-tier subrecipient, the Iowa DOT will include Title VI language in all written agreements.

The Iowa DOT’s Civil Rights Coordinator/Office of Employee Services – Civil Rights Team (OES-CRT), is responsible for initiating and monitoring Title VI activities, preparing reports and performing other responsibilities, as required by 23 C.F.R. § 200 and 49 C.F.R. § 21.



Signature

Mark Lowe
Director, Iowa Department of Transportation

November 30, 2017
Date

Authorities

Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d, provides that no person in the United States shall on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance.

The Civil Rights Restoration Act of 1987, Pub. L. No. 100-259 102 Stat. 28, broadened the scope of Title VI coverage by expanding the definition of terms “programs or activities” to include all programs or activities of federal-aid recipients, subrecipients and contractors, whether such programs and activities are federally assisted or not.

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

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

Americans with Disabilities Act of 1990 (ADA): The Act prohibits discrimination and ensures equal opportunity for persons with disabilities in employment, state and local government services, public accommodations, commercial facilities and transportation.

Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112, 87 Stat. 355, prohibits discrimination based on disability.

Additional citations

Title VI of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000d to 2000d-4; 42 U.S.C. §§ 4601 to 4655; 23 U.S.C. §109(h); 23 U.S.C. §324; DOT Order 1050.2; Executive Order 12250; Executive Order 12898; 28 C.F.R. § 50.3.

Standard Assurances 49

C.F.R. § 21.7

Pursuant to 49 C.F.R. § 21.7, every application for federal financial assistance or continuing federal financial assistance must provide a statement of assurance and give reasonable guarantee that the program is (or, in the case of a new program, will be) conducted in compliance with all requirements imposed by or pursuant to Part 21 (Nondiscrimination in Federally Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964). Fully executed standard DOT assurances (including Appendices A, B, C, D and E) are attached to this plan. (Attachment A)

SECTION 2

ORGANIZATION AND STAFFING

Organizational chart

Iowa DOT organizational chart showing Civil Rights Team as of December, 2017 (Attachment C)

Staffing

The responsibility for the direction and implementation of the Iowa DOT Title VI Program is assigned to the Director of the Iowa DOT.

The Civil Rights Coordinator (hereafter referred to as “Coordinator”), on behalf of the Director, is responsible for the overall management of the Title VI program and the Office of Employee Services - Civil Rights Team (hereafter referred to as “OES-CRT”), and has direct access to the Iowa DOT Director on Title VI/Nondiscrimination issues. The Coordinator is under the direct supervision of the Director of the OES.

Civil Rights Coordinator Responsibilities

The Coordinator is responsible for implementing, monitoring, and ensuring the Iowa DOT compliance with Title VI regulations. The Title VI responsibilities are as follows:

- Consult with and inform the Director of the Iowa DOT on nondiscrimination program activities.
- Process the disposition of Title VI complaints received by the Iowa DOT with assistance from program area officials.
- Collect statistical data (race, color, sex, and national origin) of participants in and beneficiaries of state highway programs, i.e., relocatees, impacted citizens, and affected communities.
- Review Environmental Impact Statements for Title VI and Environmental Justice compliance.
- Conduct Title VI reviews of cities, counties, consultants, contractors, universities, colleges, planning agencies, and other recipients of federal aid highway funds.
- Review state program directives in coordination with Civil Rights Committee liaisons for special emphasis program areas and, where applicable, include Title VI language and related requirements.

- Conduct training programs on Title VI and related statutes for state program officers, civil rights officials, and Iowa DOT sub-recipients of federal funds.
- Prepare the annual Title VI update report reflecting accomplishments of the past year and establishing goals for the next year.
- Develop Title VI information for dissemination to the general public including translation into languages other than English when appropriate.
- Conduct post-grant approval reviews of state programs and applicants for compliance with Title VI requirements (highway location, design and relocation, and persons seeking contracts with the state).
- Identify, investigate, and eliminate discrimination when found to exist.
- Establish procedures for promptly resolving deficiency status and develop a written remedial action plan as necessary, all within a period not to exceed 90 days.
- Provide technical assistance to sub-recipients in the development of their Title VI Plan and assurances.

External Civil Rights Administrator Responsibilities

The External Civil Rights Administrator, under the direct supervision of the Director of OES, is responsible for ensuring the Iowa DOT compliance with the federal Civil Rights programs that highway contractors, consultants and sub-recipients must comply with. The External Civil Rights Administrator responsibilities are as follows:

- Investigate external civil rights complaints (Title VI, Title II, ADA and 504).
- Implement the Title VI Plan.
- Develop and revise the Civil Rights Program Assessment and Implementation Plan.
- Implement the Disadvantaged Business Enterprise (DBE) Program on USDOT-assisted contracts and procurements.
- Setting annual overall DBE goals and DBE goals on individual projects in coordination with internal Iowa DOT divisions.
- Implement the Equal Employment Opportunity (EEO) Contract Compliance Program.

- Implement the On-the-Job Training (OJT) programs under the Training Special Provisions (TSP) of USDOT-assisted construction contracts.
- Establish and monitor the DBE and Small Business Contracts (SBC) Supportive Services Programs.
- Ensure proper DBE and SBC Certification Processes and documents are utilized.

Provide training and technical assistance to the Iowa DOT and its sub-recipients, contractors and consultants.

Implement the Minority and Women Business Enterprise (MWBE) program on state-funded contracts and procurements.

Title VI Specialists' Responsibilities

The Title VI Specialists, under the direct supervision of the Director of OES, work in collaboration with the Coordinator and External Civil Rights Administrator. They are responsible for coordinating and providing technical assistance on all Title VI and Title II Programs and preparing required reports. Duties include:

- Coordinate Title VI Program development and implementation with affected program areas.
- Provide technical assistance and advice on Title VI matters to Civil Rights Committee Liaisons and Program Area Officials.
- Conduct internal Title VI reviews of Iowa DOT Program Office activities when necessary to cover aspects beyond those included in routine monitoring.
- Participate with program area staff to review section program activities that include Title VI issues.
- Conduct Title VI reviews of consultants, universities, regional planning affiliations (RPAs) and other sub-recipients to ensure Title VI compliance.
- Review Iowa DOT program manuals, contracts, and policy statements to determine whether Title VI is appropriately addressed.

- Promptly investigate and resolve Title VI complaints of discrimination. Investigations shall be completed and a report of findings submitted to FHWA within 60 days from the date the complaint was received.
- Work with program areas to correct identified Title VI problems including discriminatory practices or policies.
- Conduct Title VI training for Civil Rights Liaisons, Iowa DOT staff and sub-recipients.
- Assist in the preparation of annual reports of Title VI activities and accomplishments.
- Assist in updating the Title VI Plan as necessary to reflect organizational, policy or implementation changes.

Civil Rights Liaison (Committee) Responsibilities

Each of the Iowa DOT Program Offices listed in the chart on the next page shall have a designated Civil Rights Liaison. These key programs or department areas are subject to receiving federal assistance through grants or other types of transportation-related funding and are responsible for implementing Iowa DOT directives and policies to ensure civil rights compliance and equal opportunity within their respective program/area including:

- Identifying applications of Title VI/Nondiscrimination laws and regulations in their program areas. Incorporating these requirements into program area policies, procedures, directives, and manuals.
- Leading the development and implementation of the Title VI program in their program area.
- Collecting, maintaining, and analyzing data related to Title VI/Nondiscrimination efforts. Preparing documentation for inclusion in annual reports and preparing other reports and summaries as needed.
- Supporting and cooperating with the Title VI/Nondiscrimination Coordinator in developing and implementing the Iowa DOT program.
- Assisting with compliance reviews and complaint investigations.

Civil Rights Committee Description

Last Name	First Name	Office	Email Address	Phone #
Harvey	Mike	Support Services	mike.harvey@iowadot.us	515-239-1627
Jacobson	Tom	Construction & Materials	thomas.jacobson@iowadot.us	515-239-1587
Dostart	John	Local Systems	john.dostart@iowadot.us	515-239-1291
Haar	Kristin	Public Transit	kristin.haar@iowadot.us	515-233-7875
Hjelmstad	Pete	District 2	peter.hjelmstad@iowadot.us	641-422-9459
Hofer	Brad	Location & Environment	bradley.hofer@iowa.gov	515-239-1787
Holm	Mark	Right of Way	mark.holm@iowadot.us	515-233-7867
Kasper	Ed	Contracts	edward.kasper@iowadot.us	515-239-1414
Loonan	Andy	District 1	andy.loonan@iowadot.us	515-239-1996
Smith	Brian	Design	Brian.smith@iowadot.us	515-239-1505
Nguyen	Mindi	MVD Administration	mindi.nguyen@iowadot.us	515-237-3132
Novey	Gary	Bridges & Structures	gary.novey@iowadot.us	515-239-1233
Pedersen	Garret	Systems Planning	garret.pedersen@iowadot.us	515-239-1210
Schultz	Dakin	District 3	dakin.schultz@iowadot.us	712-276-1451
Shea	Sam	District 6	sam.shea@iowadot.us	319-364-0235
Suhr	Scott	District 4	scott.suhr@iowadot.us	712-243-7627
Torres-Cacho	Hector	District 5	hector.torres-cacho@iowadot.us	641-469-4017
Younie	Bob	Maintenance	bob.younie@iowadot.us	515-239-1589
DOT STAFF SUPPORT				
DiGiacinto Miskimins	Jacqui	OES – External Civil Rights	jacqueline.miskimins@iowadot.us	515-239-1304
Kerber	Steve	OES – Title VI Specialist	steve.kerber@iowadot.us	515-239-1483
Kienast	Karen	OES – Civil Rights Coordinator	karen.kienast@iowadot.us	515-233-7970
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Bradley	Tracey	OES – Title VI Specialist	tracey.bradley@iowadot.us	515-239-1833
FHWA LIAISON				
Kudart	Karla	FHWA-Iowa	karla.kudart@dot.gov	515-233-7324

Committee Organization

The Coordinator and Civil Rights Committee members have primary responsibility for implementing civil rights programs for the Iowa DOT. The Civil Rights Committee members have been selected based on their technical expertise in each of their program areas/offices.

All members are expected to contribute and participate. All decisions of the Committee will be made using the consensus model.

Responsibilities of the Civil Rights Committee

Members will provide support, coordination, input and information on the processes, procedures and operations of their areas of expertise to ensure the best possible decision making in the development and completion of compliance reviews.

- Members will devote the time and thought necessary to provide valuable guidance and input to the lead reviewer and work effectively to help reconcile issues or areas of concern. This requires responding to requests from the Lead Reviewer by a specified due date.
- Members will provide research, analysis and recommendations to enhance the effectiveness of the compliance reviews, such as developing review instruments, interview questions and ongoing efficiencies (continuous process improvements).
- Members will attend regularly scheduled meetings to ensure progress in meeting Committee objectives.
- Members will adhere to the Civil Rights Program Assessment Corrective Action Plan.

Deliverables and Target Completion Dates

- Meeting agendas will be circulated to the members prior to each meeting.
- Action items will be recorded and status reported at the subsequent meetings.
- The meetings will be held bi-monthly on the third Thursday of the designated month from 9:00 a.m. until 12:00 p.m. If no discussion topics are identified, the meeting may be cancelled.
- The Civil Rights Committee is expected to be active and to ensure Title VI implementation of Nondiscrimination Laws and Assurances in their respective program area/office.

Ground Rules and Expectations

- Full participation and cooperation is expected of each Committee member.

- Each Committee member is expected to keep their Office Director or Supervisor apprised of program developments, issues and status throughout the term of this Committee.
- Discussions are to be open, honest and respectful.
- Independent thought and analysis is encouraged.

District Engineers/Division Director Responsibilities

- Appoint Civil Rights Liaisons to administer this program in their respective areas.
- Encourage DBE participation in their program areas.
- Maintain current and continuous records documenting the implementation of nondiscrimination activities.
- Ensure staffing levels and budget appropriations are adequate to accomplish nondiscrimination commitments within their program areas.

SECTION 3

IMPLEMENTATION PROCEDURES

Program Administration — General

As authorized by the Iowa DOT Director, under the direct supervision of the Director of OES, the Coordinator is responsible for initiating, monitoring, and ensuring Iowa DOT compliance with Title VI requirements as follows.

A. Complaints

If any individual believes that he/she or any other program beneficiaries have been subjected to unequal treatment or discrimination in their receipt of benefits and/or services, on the grounds of race, color, national origin, income, sex, or disability, he/she may exercise their right to file a complaint with the Iowa DOT. Every effort will be made to resolve complaints informally at the district/division, sub-recipient, and contractor's level. (Attachment D)

The Iowa DOT retains a complaint log and file that includes at minimum the following documents: investigative plan, investigation report, investigative findings and remedial action taken.

B. Data Collection

Statistical data on race, color, national origin, age, disability, income level, language spoken, and gender of participants in, and beneficiaries of, Iowa DOT programs, e.g., relocatees, impacted citizens, and affected communities, will be gathered and maintained by OES-CRT for the Iowa DOT. Each of the Title VI special emphasis program areas will maintain data to be incorporated in the Title VI Annual Accomplishments and Goals Report. The data gathering process will be reviewed regularly to ensure sufficiency of the data in meeting the requirements of the Title VI program administration.

C. Environmental Documents

To the maximum extent practical, ensure that appropriate data are included as a part of all environmental impact statements (EIS) or environmental assessments (EA) for projects receiving FHWA or other federal assistance. Efforts are undertaken to ensure that transportation system improvements that are implemented do not have disproportionately negative effects on minority and low-income populations. In addition, system investments must provide for an equitable distribution of benefits to the areas that are traditionally underrepresented in the planning process.

D. Iowa DOT Internal Title VI Special Emphasis Program Reviews

The OES-CRT will annually review its program areas and offices to assess Iowa DOT administrative procedures and processes, staffing and resources available for Title VI compliance. On an annual basis, the Title VI Accomplishments and Goals report will be

reviewed to ensure it contains the necessary information to evaluate the Iowa DOT Title VI program as it pertains to its accomplishments, shortfalls, and problem areas.

The Title VI Specialists will conduct Special Emphasis Program Area reviews annually. These Program Reviews focus more in-depth on a specific Federal Program Area. The following criteria may be used in selecting the program areas and offices for review:

1. Deficiencies or observations made during the most recent FHWA Civil Rights ProgramAssessment or review.
2. Concerns or questions regarding Title VI complaints/history of deficiencies or observations during review of the Title VI Accomplishment and Goals report.

Program areas scheduled for review will be notified in writing at least 60 days in advance to coordinate a date to ensure the attendance of the Office Director/District Engineer and key personnel. The notification will include a compliance review instrument containing questions that offices are required to answer in writing and return within 30 days of receipt.

The OES-CRT will review the responses to the compliance review instrument during the desk review process in advance of the on-site review. The program review will consist of an entrance conference, review of files and documentation, interviews and an exit conference allowing time to thoroughly review the program area.

A compliance review report will be issued within 30 days following the exit conference. A copy of the report is provided to the Office Director/District Engineer, the appropriate staff of the program being reviewed, FHWA and/or FTA. No action on the part of the program is required on findings of compliance, unless a condition of compliance is specified. However, if the review contains deficiencies, the program area, with the assistance of the Title VI Specialists, will be required to develop a Corrective Action Plan (CAP) to overcome any findings within a period not to exceed 90 days.

Corrective Action

Iowa DOT will actively pursue the prevention of Title VI deficiencies and take the necessary steps to ensure compliance with all Title VI Program requirements.

Effective compliance with Federal regulations requires the Iowa DOT to take corrective action to resolve Title VI deficiencies in all instances in which deficiencies are found.

If an Iowa DOT program area and/or office is found to have deficiencies, the program area and/or office, with the assistance of the Title VI Specialists, will write a remedial action plan to be implemented all within a period not to exceed 90 days. The Title VI Specialists will seek the cooperation of the program area and/or office in correcting deficiencies found during the review.

OES-CRT will also provide the technical assistance and guidance needed to aid the program area and/or office.

Efforts to resolve deficiencies found at the outset of the review will be pursued throughout the compliance review process. Notice will be promptly given on the nature of the deficiency and identify possible actions to secure compliance.

Self-Monitoring

Monitoring requires tracking, regulating and observing processes. Self-monitoring requires program areas and offices to track, regulate and observe their processes to ensure compliance with Title VI.

Documentation is a critical element of the compliance monitoring process. It is relied upon to provide evidence, proof and support of historical facts during monitoring and compliance review activities. It is recommended that policy decisions, procedures, analysis, actions and outcomes be documented as part of program area staff's daily routine.

E. Title VI Reviews of Sub-recipients

It is the responsibility of the OES-CRT to conduct compliance reviews of its sub-recipients of federal financial assistance, including local public agencies (LPAs) and regional planning affiliations (RPAs). The OES-CRT conducts compliance reviews to:

1. Ensure compliance with Title VI
2. Provide technical assistance in the implementation of the Title VI program
3. Correct deficiencies, when found to exist

The Title VI review process focuses on, but is not limited to, compliance with 10 major components of Title VI. The 10 components are defined in IM 1.070

http://www.iowadot.gov/local_systems/publications/im/1070.pdf

- i. Developing Title VI Assurances
- ii. Developing a Title VI Policy Statement
- iii. Identifying a Civil Rights Committee Liaison
- iv. Developing procedures for processing external discrimination complaints
- v. Providing the Iowa DOT with a list of external discrimination complaints
- vi. Providing accommodations for limited English proficient (LEP) persons
- vii. Ensuring nondiscrimination in the LPA's public participation process
- viii. Collecting and analyzing data to ensure nondiscrimination in the LPA's programs and activities
- ix. Ensuring that contracts contain the appropriate Title VI contract provisions
- x. Ensuring nondiscrimination in the award of contracts

The OES-CRT will perform desk and onsite compliance reviews on selected sub-recipients. All sub-recipients of the Iowa DOT are subject to review.

The OES-CRT will complete a compliance review report on each LPA that is reviewed. The OES-CRT will retain that report for five years, send a copy to FHWA – Iowa Division to monitor the process, and review the individual reports.

The OES-CRT will review RPAs each year as a part of the review process established by the Office of Systems Planning and shall follow the schedule and selection of RPAs established by said office.

The OES-CRT shall utilize a random computer-generated sample from the pool of all Iowa LPAs that have received federal funding in the selection of reviews to be performed on those sub-recipients other than RPAs. Selected LPAs will be notified in writing at least 60 days in advance that they have been selected for compliance review to coordinate a date to ensure the attendance of key personnel. The notification will include a Title VI compliance site review tool containing questions that sub-recipients are required to answer in writing and return 30 days after receipt.

The OES-CRT will review the sub-recipient's response to the Title VI Compliance Site Review Tool and supporting documentation during the desk review process.

The OES-CRT Title VI Specialists will review the documents and information submitted by the sub-recipient. A compliance review report will be issued within 30 days following the onsite review. A copy of the report is provided to the sub-recipient and FHWA-Iowa Division. No action on the part of the sub-recipient is required on findings of compliance unless a condition of compliance is specified. If the review contains deficiencies, the subrecipient, with the assistance of the Title VI Specialists, will be required to develop a CAP to overcome any deficiencies within a period not to exceed 90 days. The OES-CRT Title VI Specialists will prepare a report of findings which may include recommendations to strengthen the LPA's Title VI program.

The Iowa DOT will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with all program administrative requirements, both within the Iowa DOT and with its sub-recipients of federal highway funds. When irregularities occur in the administration of the federal-aid highway program's operation, corrective action will be taken to resolve Title VI issues. The subrecipient will write a remedial action plan agreed upon by the sub-recipient and Iowa DOT to be implemented within a period not to exceed 90 days.

The Iowa DOT will seek the cooperation of the sub-recipient in correcting deficiencies found during the review. The Iowa DOT will also provide the technical assistance and guidance needed to aid the sub-recipient to comply voluntarily.

When a sub-recipient fails or refuses to voluntarily comply with requirements within the time frame allotted, the Iowa DOT will submit to the FHWA – Iowa Division copies of the case file and a recommendation that the sub-recipient be found in non-compliance.

Follow-up Monitoring

The OES-CRT will determine if additional monitoring is needed to obtain a compliant status and ensure ongoing compliance with Title VI requirements.

Follow-up reviews may be conducted to ensure the sub-recipient has complied with the Title VI Program requirements in correcting deficiencies previously identified. If the subrecipient refuses to comply, the Iowa DOT may, with FHWA's concurrence, initiate sanctions per 49 CFR § 21.13.

F. Operational Guidelines

All operational guidelines for districts, program areas, contractors, and sub-recipients will be reviewed annually to ensure inclusion of Title VI language, provisions and related requirements, where applicable. Updates will be reported in the annual Accomplishments & Goals Report. (Attachments E, F, G)

G. Training Programs

Title VI training will be made available to contractors, sub-recipients, Iowa DOT special emphasis program areas and employees. The training will provide comprehensive information on Title VI provisions, its application to program operations and identification of Title VI issues and resolution of complaints. A summary of training conducted will be reported in the annual Accomplishments & Goals Report.

H. Annual Accomplishments and Goals Report

An annual executive summary reviewing Title VI accomplishments achieved during the year, changes to the program occurring during the preceding year and the goals and objectives for the upcoming year will be submitted to FHWA by October 1st of each year. Annual reports will be required for each of the special emphasis program areas. The Coordinator or designee will be responsible for coordination and preparation of the report. (Attachment H)

I. Title VI Plan Update

The OES-CRT will review and update the Iowa DOT Title VI plan as needed or required and present the updated plan to the Iowa DOT management team for approval and submit the amended plan to FHWA.

J. LEP

The Iowa DOT follows Executive Order 13166 in identifying and engaging limited English proficient (LEP) populations to ensure their involvement and knowledge of transportation planning and projects in and around their communities. An LEP person is defined as one who does not speak English as his or her primary language and has a limited ability to read, write or understand English. The Iowa DOT policy for engaging individuals with LEP is to provide translation services to individuals who request them, if reasonable accommodations can be made. In addition, the Iowa DOT proactively identifies communities with high concentrations of LEP persons and employs tactics and strategies to effectively engage them in the planning process. The Iowa DOT trains staff to recognize individuals in community meetings and forums who may show difficulty or inability to read or write English and to assist them accordingly.

K. Public Dissemination

The OES-CRT will work with Iowa DOT staff to develop and disseminate Title VI Program information to Iowa DOT employees, sub-recipients, contractors, consultants, and beneficiaries as well as the general public. Public dissemination may include postings of policy statements, inclusion of Title VI language in contracts or other agreements, website postings and annually publishing the Title VI Policy Statement in newspapers having a general circulation and informational brochures. Ensure the public service announcements or notices are posted of proposed projects, hearings, meetings, or formation of public advisory boards in newspapers or other media reaching the affected community. Ensure the full utilization of available minority publications or media, and where appropriate, provide written information in languages other than English.

L. Pre- & Post-Grant Reviews

Pre- & post-grant Title VI compliance reviews will be conducted annually on applicants, consultants and other contractors seeking contracts with the Iowa DOT. The reviews will determine compliance with Title VI contractual provisions. Pre-grant reviews will be conducted on those sub-recipients that will be receiving Iowa DOT federal funds. The following procedures for pre-grant compliance apply to all sub-recipients of DOT funds. The sub-recipient is required to develop and execute a Title VI Non-discrimination Agreement or Title VI Plan and the associated Standard DOT Title VI Assurances. They are to provide a copy of these documents to the Iowa DOT and include the appropriate Appendices of the Standard DOT Title VI Assurances in all contracts, agreements, deeds, and permits associated with transportation projects or programs. Program managers assist in ensuring a signed Standard DOT Title VI Assurance is on file before executing a federal funding agreement with a sub-recipient. The Iowa DOT will not process any new federal-aid funding agreements with a sub-recipient until Iowa DOT receives a copy of a signed Standard DOT Title VI Assurances and a Title VI Agreement or Plan.

Post-grant reviews are conducted on those sub-recipients that have already received Iowa DOT federal funds. The procedure for sub-recipient post-grant reviews is under section E. *Title VI Reviews of Sub-Recipients* of this document.

M. Elimination of Discrimination

Work with other Iowa DOT offices to establish procedures for promptly resolving deficiencies, as needed. Recommend and implement procedures to identify and eliminate discrimination in any Iowa DOT processes when found to exist, including, but not limited to, issues of accessibility training to all assigned Iowa DOT employees, utilization of Minority/Women/Disadvantaged Business Enterprises (DBE) contractors, public involvement, and property acquisition. Take affirmative action to correct any deficiencies found within a reasonable time period, not to exceed 90 days, in order to implement Title VI compliance in accordance with this plan.

N. Remedial Action

The Iowa DOT will actively pursue the prevention of Title VI deficiencies and violations and will take the necessary steps to ensure compliance with all program administrative requirements, both within the Iowa DOT and with its sub-recipients of federal highway funds. When irregularities occur in the administration of the federal-aid highway program's operation, corrective action will be taken to resolve Title VI issues.

The Iowa DOT will write a remedial action agreed upon by the Iowa DOT and FHWA-Iowa within a period not to exceed 90 days.

The Iowa DOT will seek the cooperation of sub-recipients in correcting deficiencies found during their reviews. The Iowa DOT will also provide the technical assistance and guidance needed to aid the sub-recipient to comply voluntarily.

Sub-recipients placed in a deficiency status will be given a reasonable amount of time, not to exceed 90 days after receipt of the deficiency letter, to voluntarily correct deficiencies.

When a sub-recipient fails or refuses to voluntarily comply with requirements within the time frame allotted, the Iowa DOT will submit to the FHWA copies of the case file and a recommendation that the sub-recipient be found in non-compliance.

SECTION 4

PROGRAM ADMINISTRATION

Iowa DOT Program Offices

The Iowa DOT Program Offices shall ensure equitable enforcement of specifications and policies for all participants in and beneficiaries of Iowa DOT programs and activities, regardless of protected class.

Office of Construction & Materials

The Office of Construction and Materials is located within the Project Delivery Bureau of the Highway Division. The office is responsible to:

- Provide technical and administrative support to Iowa DOT and highway construction industries by assisting in the resolution of construction and materials issues. This includes consulting with District Construction Engineers, District Materials Engineers, project engineers and other Central Office staff regarding specifications, methods, techniques and policies of highway construction and materials, inspection and contract administration.
- Identify and communicate information on quality enhancement practices in highway construction
- Evaluate and support new technologies that enhance highway quality
- Provide education and training
- Facilitate the identification and implementation of improved safety practices for the public, inspectors and contractors on highway construction projects
- Provide statewide administrative support of the highway construction program

Assurance Activities

- Ensure consistent administration of testing and specifications regardless of race, color, or national origin. Do not discriminate in the approval of materials suppliers and sources.
- Encourage opportunities for females and minorities in research activities by external sources (consultants or universities).

Office of Contracts

The Office of Contracts is responsible for conducting the lettings for the Iowa DOT highway construction projects as well as federally assisted highway projects for local jurisdictions.

Assurance Activities

- Include Required Contract Provisions (FHWA-1273) as it relates to letting and awarding of contract documents.
- Ensure bidding and contract award procedures are consistent with nondiscrimination and EEO requirements.

- Ensure Appendix A is included in all contracts let through the Office of Contracts.

Office of Design

Technical design work and the preparation of plans used for the construction of highway improvements is the responsibility of the Offices of Design, and Bridges and Structures. Both of these offices also coordinate work in their areas that is done by outside consultants.

Assurance Activities

- Ensure that environmental justice considerations are addressed during route and project selection.
- Ensure full and fair participation of minority, low-income, elderly and disabled people in public involvement activities for project development activities.
- Demonstrate a consistent application of design standards to eliminate, minimize or mitigate adverse impacts among affected groups and to provide equitable levels of service to those groups.
- Provide opportunities for DBE firms on consultant contracts.
- Ensure ADA Compliance

District Offices

The district offices are a critical component of the highway transportation system throughout the State of Iowa. They are involved with future transportation project selection and future project programming.

The districts take a lead role in project development starting with an initial project concept, continuing through the design and construction phases and then developing into an on-going maintenance commitment of the new project and the entire state highway system. As facilitators of highway development and maintenance, the districts make every effort to coordinate with local agencies, general public, and private sector.

Assurance Activities

- With the assistance from other offices, the district will work to ensure that all people have a full opportunity to participate fairly in the development process. They will make special efforts to include low-income, minority, disabled, and elderly populations.
- Again, with the knowledge of local conditions and with assistance, they will take steps to ensure that minority, low-income, elderly and disabled people impacted by projects are identified and that disproportionate adverse impacts to their environment are avoided, minimized or mitigated.

- Document instances where Title VI issues were identified and discrimination was prevented or corrective action taken.
- Provide notice of public consultation forums in minority newspapers and newsletters when applicable and in languages other than English when needed.
- Administer transportation-related construction contracts on behalf of the State of Iowa in counties in Iowa.
- Work with other offices to ensure that all aspects of a project's location selection process comply with the Title VI nondiscrimination requirements.
- Ensure that facilities are designed in accordance with current ADA accessibility requirements.
- Make efforts to balance programmed projects so that all affected groups have an opportunity to benefit from the transportation system without disparate impacts.

Office of Local Systems

The Office of Local Systems serves as a liaison for the Iowa DOT to the local governmental entities throughout the state providing guidance and assistance in all phases of the highway project development process. This office also coordinates and provides support for developing project agreements with local jurisdictions.

Assurance Activities

- Support other Iowa DOT staff with implementation of Title VI requirements with respect to local jurisdictions.
- Ensure that non-discrimination requirements are properly addressed in policies, procedures, reference materials, and agreements that are produced for local jurisdictions.

Office of Location and Environment

The Office of Location and Environment secures and reports environmental, cultural and related information necessary for decision-makers to approve the location of projects constructed by the Iowa DOT. They work with the district offices, designers, and many outside agencies as well as consultants. They are responsible for preparing the environmental document for potential federal-aid projects and obtaining 404 permits for all projects that have wetland impacts.

The Office of Location and Environment is also responsible for location and pre-location studies on large projects as well as coordinating and managing public involvement activities during the development phase.

Assurance Activities

- In collaboration with other offices during the selection of project alternatives, work to identify impacts to minority, low-income, elderly and disabled people populations, and address disproportionately high impacts in the final project. Record these efforts in the environmental document.
- Ensure that environmental justice considerations are addressed during project alternative selection.
- Make any necessary special accommodations for participation by minority, low-income, elderly, disabled people, hearing impaired and persons with LEP during project public involvement activities.
- Provide opportunities for minority and female consultants and address DBE goals on consultant contracts.

Office of Maintenance

The Office of Maintenance, working with the field maintenance offices, is responsible for maintenance activities along the primary and interstate roadways throughout the state. This includes snow removal, pavement and bridge maintenance, and vegetation control. Maintenance also administers the Adopt-A-Highway litter removal program as well as ensures applicable appendices of the Assurances are included.

Assurance Activities

- Provide appropriate level of service based on established policy and procedure regardless of the nature of the population being served by any particular roadway.
- Ensure that all people have an opportunity to participate in the Adopt-A-Highway program.
- Consistently administer the utility and access policies independent of the race, color or national origin of the applicant.

Motor Vehicle Division

The Motor Vehicle Division provides services, administers programs and enforces regulations that pertain to the operation of motor vehicles in the State of Iowa. It is comprised of four offices:

The Bureau of Investigation & Identity Protection conducts investigations related to vehicle, odometer, and driver's license fraud and related identity theft, and regulates motor vehicle dealers and sales. This office also serves to protect the integrity of the Motor Vehicle Division services and records.

The Office of Driver Services conducts testing and issues licenses for all drivers, maintains driver and accident data, and conducts driver safety training. This office also suspends, revokes and reinstates driving privileges as provided by law.

The Office of Motor Vehicle Enforcement conducts most enforcement and investigative activities. This includes commercial motor vehicle and driver inspections, industry educational outreach, and enforcement of size, weight, travel authority, fuel and registration laws.

The Office of Vehicle & Motor Carrier Services oversees the licensing and registration of motor vehicles. This office administers the program through which county offices register noninterstate vehicles. The office also regulates motor vehicle dealers and issues registrations for vehicles with special or personalized plates. The Office of Vehicle & Motor Carrier Services also takes the lead in working with interstate and commercial carriers. The office administers fuel tax and registration programs for carriers based in Iowa. The office also issues operational permits and designates routes for over-dimensional loads on the interstate and primary systems.

Assurance Activities

- These offices will take steps to assure that the licensing and permitting processes are available to all, regardless of race, color, or national origin. Licensing and permit station locations and hours should be provided on an equitable basis for the affected groups. Efforts will be made to accommodate applicants with limited English proficiency.
- Enforcement and investigative functions must be carried out in an equitable fashion.

Purchasing Section

The Purchasing Section secures all purchases of goods and services used by the Iowa DOT as specified in the DOT's internal Policy 010.10.

Assurance Activities

- This office must make every effort to ensure that minority and female contractors and suppliers have opportunities to work with the Iowa DOT and that processes and procedures are implemented without discrimination.
- Ensure applicable nondiscrimination language and appendices are included in contracts and agreements.

Office of Right of Way

The Office of Right of Way is responsible for securing the property required for highway construction. This includes identification of impacted properties, appraisal, acquisition and relocation assistance. They also manage and dispose of excess property. This work may be done with Iowa DOT staff or by consultants. This office also reviews the right-of-way processes of local jurisdictions.

Assurance Activities

- Make every reasonable effort to ensure clear communication when engaging in interactions with persons with LEP, or are sight impaired or hearing impaired. This includes the use of interpreters when necessary.
- Through cooperation with other offices, identify low-income and minority populations and take steps to appropriately address disproportionately high adverse effects to their health and environment.
- Ensure equitable treatment of all affected property owners, regardless of race, color, sex, age, disability, or national origin. This includes, among other impacts, appraisal values, relocation assistance and opportunities for purchase of excess property.
- Provide opportunities for minority and female consultants.
- Monitor and review the right-of-way activities of cities and counties to verify compliance with Title VI in their right-of-way processes.
- Ensure applicable nondiscrimination language and appendices are included in contracts and agreements.

Administration

In addition to the program offices described above, there are a number of administrative areas which have Title VI implications. These include agency staff composition by race and gender, policies, procedures and directives; contracts, agreements, other legal instruments and proposed legislation; Title VI training; dissemination of information to the public and public involvement programs.

Assurance Activities

- Monitor continued progress on agency-wide Affirmative Action goals and encourage diversity with respect to protected classes in each of the pertinent program areas.
- Review policies, procedures, Iowa DOT directives and proposed legislation for Title VI issues.
- Review contracts, agreements and other legal instruments for appropriate Title VI language.
- The Coordinator and/or Title VI Specialists shall periodically conduct Title VI training for district engineers, division directors, and Civil Rights Committee members as well as the Iowa DOT sub-recipients.

- Ensure publications and other information disseminated to the public includes Title VI policy reference.
- Ensure public involvement activities take into account Title VI requirements.

Office of Aviation

The Office of Aviation advocates for and delivers services that promote and enhance a healthy air transportation system. Included in these activities are the administration of state-funded aviation programs and ranking and submitting of pre-applications for federal improvement funds for general aviation airports in Iowa. The office is also the direct recipient of federal funds for statewide planning projects and installation of Automated Weather Observing Station units at local airports. The primary responsibility of the Office of Aviation as it relates to Title VI will be to ensure compliance in statewide contracts administered by the office and in contracts administered for locally owned airports.

Assurance Activities

- Determine DBE goals and monitor accomplishments on contracts involving FAA funding.
- Review and update publications to ensure clear communication with persons with limited English proficiency.
- Assure that environmental justice and Title VI impacts are addressed in airport improvement projects.

Office of Program Management

The Office of Program Management, in working with other Iowa DOT offices, the districts and various state and local agencies, prepares the Iowa Transportation Improvement Program (FiveYear Program) and the Statewide Transportation Improvement Program (STIP). They take the lead in managing program funds to meet fiscal considerations. The distribution of funds is critical to ensuring an opportunity for all to receive benefits of federal transportation dollars. That is especially evident in project selection and programming.

Assurance Activities

- Take positive steps to encourage full and fair participation by all affected groups in development of the Five-Year Program and STIP.
- Ensure that the project selection and programming process results in programs that provide opportunities for minority, low-income, disabled and elderly populations to receive benefits and avoid disparate impacts from individual projects.

Office of Systems Planning

The Office of Systems Planning (OSP) leads statewide planning for the Iowa DOT and administers the project selection of special grant programs such as Iowa's Clean Air Attainment Program; Revitalize Iowa's Sound Economy; Statewide Transportation Alternatives Program; and State and Federal Recreational Trails. OSP prepares both long- and short-range system plans through cooperation with other Iowa DOT offices and the districts, various state and local agencies, Metropolitan Planning Organizations, and Regional Planning Affiliations. These plans provide the framework for the Five-Year Program and STIP.

Title VI must be considered throughout the planning process to ensure adequate public involvement and that potential impacts to the human environment are identified and addressed.

Assurance Activities

- Take positive steps to ensure full and fair participation in the planning process from minority, elderly, disabled, and low-income residents.
- Ensure that the project selection process functions so that minority, low-income, disabled, and elderly populations are not subject to disparate impacts from the individual projects. Avoid, minimize, or mitigate disproportionately high adverse impacts.
- Effectively consider both positive and negative effects of various transportation system alternatives on impacted groups.
- Review grant agreements to ensure required nondiscrimination language is included.
- Review grant selection criteria for inconsistencies.

Office of Public Transit

Transit services in Iowa are provided by 35 designated urban and regional public transit systems. The Office of Public Transit administers federal and state transit funding programs and provides technical assistance to these public transit systems.

Since the department does not directly operate any transit systems, Title VI responsibilities will be focused on monitoring the operations of the urban or regional transit agencies. It should be noted that urban transit systems serving areas with populations greater than 50,000 work directly with and are monitored by the Federal Transit Administration, although the Office of Public Transit does provide guidance.

Assurance Activities

- Through periodic compliance reviews of regional and urban transit agencies serving populations fewer than 50,000, verify that no person is denied access and that systems comply with Title VI regulations.
- Ensure that the public is made aware of their rights and of the transit systems' responsibilities under Title VI.
- Verify that information such as fare and route schedules are available in formats to communicate with persons with LEP.
- Include LEP analysis requirement in the Passenger Transportation Plan.
- Ensure that contracting opportunities are available for minorities and females.
- With transit agency input, determine DBE goals and monitor accomplishments on contracts involving FTA funding.

SECTION 5

ATTACHMENTS

The United States Department of Transportation

Standard Title VI/Nondiscrimination Assurances

DOT Order No. 1050.2A

The **Iowa Department of Transportation (Iowa DOT)** (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 Highway Administration (FHWA), 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);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability);
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 *et seq.*), (prohibits discrimination on the basis of disability);
- 49 C.F.R. Part 21 (entitled *Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation—Effectuation Of Title VI Of The Civil Rights Act Of 1964*);
- 49 C.F.R. Part 27 (entitled *Nondiscrimination On The Basis Of Disability In Programs Or Activities Receiving Federal Financial Assistance*);
- 49 C.F.R. Part 28 (entitled *Enforcement Of Nondiscrimination On The Basis Of Handicap In Programs Or Activities Conducted By The Department Of Transportation*);
- 49 C.F.R. Part 37 (entitled *Transportation Services For Individuals With Disabilities (ADA)*);
- 23 C.F.R. Part 200 (FHWA’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 (DOJ Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

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

Although not applicable to Recipients directly, there are certain Executive Orders and relevant guidance that direct action by Federal agencies regarding their federally assisted programs and activities to which compliance is required by Recipients to ensure Federal agencies carry out their responsibilities. Executive Order 12898, 3 C.F.R. 859 (1995), entitled “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations” emphasizes that Federal agencies should use existing laws to achieve Environmental Justice, in

particular Title VI, to ensure nondiscrimination against minority populations. Recipients should be aware that certain Title VI matters raise Environmental Justice concerns and FHWA intends that all Recipients evaluate and revise existing procedures (as appropriate) to address and implement Environmental Justice considerations. See the following FHWA website for more information and facts about Environmental Justice:

<http://www.fhwa.dot.gov/environment/ejustice/facts/index.htm>;

Additionally, Executive Order 13166, 3 C.F.R. 289 (2001) on Limited English Proficiency, according to the U.S. Department of Justice in its Policy Guidance Document dated August 16, 2000 (65 Fed. Reg. at 50123), clarifies the responsibilities associated with the “*application of Title VI’s prohibition on national origin discrimination when information is provided only in English to persons with limited English proficiency.*” When receiving Federal funds Recipients are expected to conduct a Four-Factor Analysis to prevent discrimination based on National Origin. (See also U.S. DOT’s “*Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons,*” dated December 14, 2005, (70 Fed. Reg. at 74087 to 74100); the Guidance is a useful resource when performing a Four-Factor Analysis).

General Assurances

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

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

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.

Additionally, the Recipient may not discriminate in the selection and retention of contractors, including without limitation, retaining contractors whose services are for, or incidental to, construction, planning, research, highway safety, engineering, property management, realty, fee contracts, and other commitments with persons for services and expenses incidental to the acquisition of rights-of-way.

Federal-aid contractors may not discriminate in their selection and retention of first-tier subcontractors and first-tier subcontractors may not discriminate in their selection and retention of second-tier subcontractors, who participate in Federal-aid highway construction, acquisition of rights-of-way, and related projects, including those who supply materials and lease equipment.

5. The Recipient shall insert the following language in all Federal-Aid Agreements entered into with the FHWA:

*“The State of Iowa, acting through its Transportation/Highway Department (Recipient) **HEREBY AGREES THAT**, as a condition to receiving Federal financial assistance from the United States Department Of Transportation, Federal Highway Administration, it is subject to and shall comply with Title VI of the Civil Rights Act of 1964 and additional Non-discrimination requirements as detailed in the FHWA’s amended version of the **DOT Standard Title VI Assurances And Non-Discrimination Provisions** document.”*

6. 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;
7. 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;
8. 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.
9. 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.
10. 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.
11. 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.

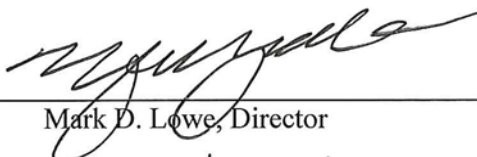
By signing this ASSURANCE, the **Iowa Department of Transportation (Iowa DOT)**, also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or

assignees to comply) with all applicable provisions governing the **FHWA** 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 **FHWA**. You must keep records, reports, and submit the material for review upon request to **FHWA**, 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 **Iowa Department of Transportation (Iowa DOT)** 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 **Federal Highway Program**. This ASSURANCE is binding on Iowa, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the **Federal Highway Program**. The person (s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Iowa Department of Transportation (Iowa DOT)

by



Mark D. Lowe, Director

DATED

9/22/2017

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 Highway Administration**, 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, or national origin 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 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor’s obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
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 **Federal Highway Administration** 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 **Federal Highway Administration**, 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 **Federal Highway Administration** 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 **Federal Highway Administration** 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 **Iowa 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 Highway Program**, and the policies and procedures prescribed by the **Federal Highway Administration** of the Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the Department of Transportation pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the **Iowa 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 **Iowa 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 **Iowa Department of Transportation**, its successors and assigns.

The **Iowa 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, or national origin 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 **Iowa 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, 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 **Iowa Department of Transportation** pursuant to the provisions of Assurance 8(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 (equates to minority), color, national origin, sex, age, disability, low-income, or LEP will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, **Iowa 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 **Iowa 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 **Iowa 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 **Iowa Department of Transportation** pursuant to the provisions of Assurance 8(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 (equates to minority), color, national origin, sex, age, disability, low-income, or LEP will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, sex, age, disability, low-income, or LEP will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, **Iowa 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, **Iowa Department of Transportation** will there upon revert to and vest in and become the absolute property of **Iowa Department of Transportation** and its assigns.*

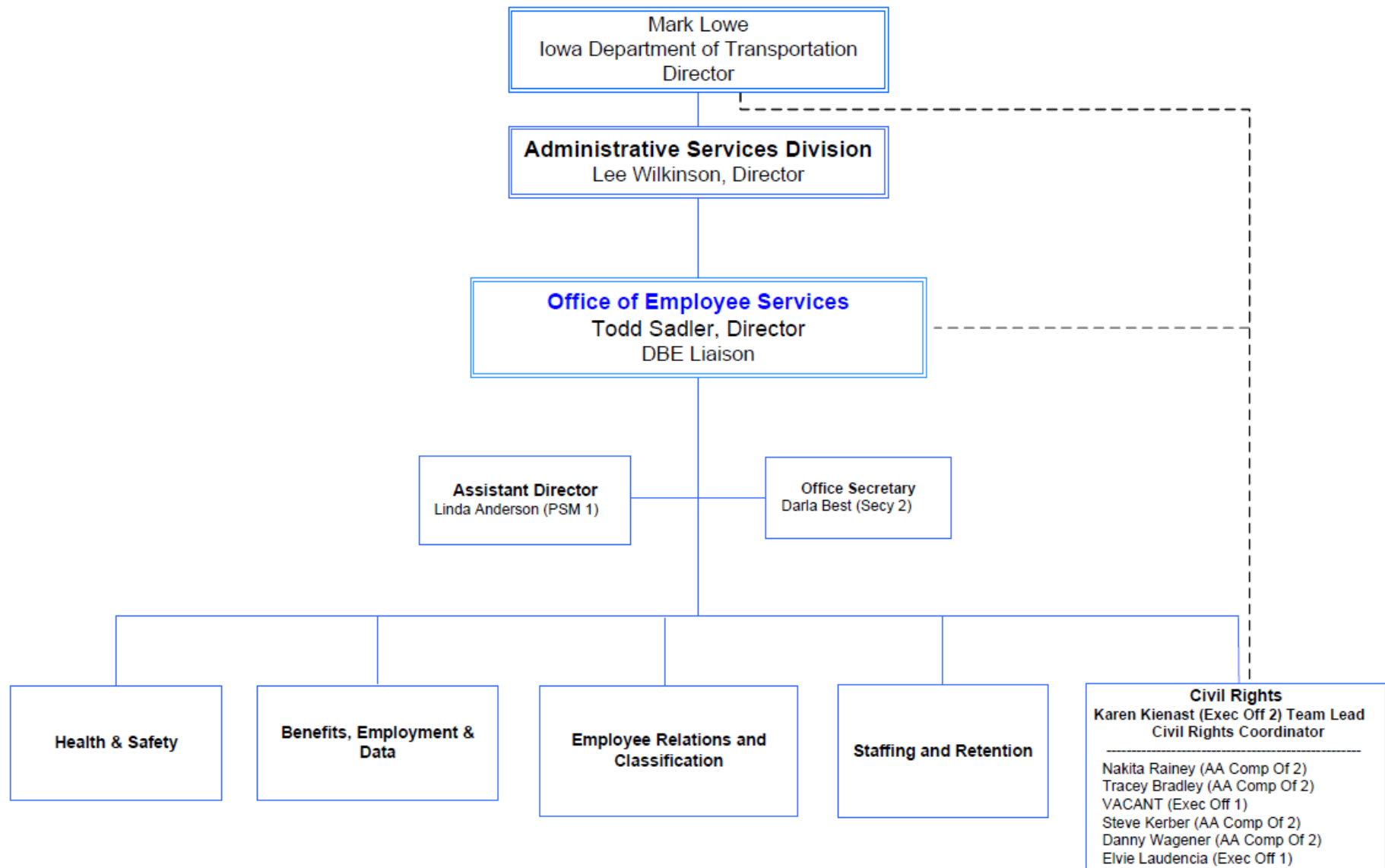
(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to effectuate the purpose of Title VI.)

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 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21;
- 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, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR 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, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- 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 Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq.*).

Iowa Department of Transportation



Title VI of the Civil Rights Act of 1964 and Related Statutes

Discrimination Complaint Process

Introduction

The Title VI (and related statutes) discrimination complaint procedures are intended to provide aggrieved persons an avenue to raise complaints of discrimination regarding the Iowa Department of Transportation's programs, activities and services as required by statute.

Purpose

The purpose of the discrimination complaint procedures is to describe the process used by the Iowa Department of Transportation. These procedures cover all complaints filed under Title VI of the Civil Rights Act of 1964 (Title VI), including Section 504 of the Rehabilitation Act of 1973 (Section 504), the Age Discrimination in Employment Act of

1967 (ADEA), Civil Rights Restoration Act of 1987 (CRRRA), the Americans with Disabilities Act of 1990 (ADA)(Title II), Executive Order 12898 Environmental Justice, Executive Order 13166 Limited English Proficiency, Disadvantaged Business

Enterprises (DBE), Equal Employment Opportunity (EEOC), and On-the Job Training (OJT) Program components and applicable Department policies, regarding any program or activity administered by the Iowa Department of Transportation as they relate to local agencies, contractors and other sub-recipients of United States Department of Transportation funds. These procedures apply to complaints filed against a program or

activity funded by the Federal Highway Administration, the Federal Transit Administration or the Federal Aviation Administration.

Intimidation or retaliation is prohibited per Title 49, Code of Federal Regulations, Part 21.11(e).

These procedures do not deny or limit the right of a complainant to file a formal complaint with an outside enforcement agency (Iowa Labor Services, ICRC, EEOC, U.S. Dept. of Transportation, FHWA, FTA, or U. S. Dept. of Justice) or to seek private counsel for complaints alleging discrimination.

Title VI procedures are part of an administrative process, which do not provide for remedies that include punitive damages or compensatory remuneration for the complainant.

Every effort will be made to obtain early resolution of complaints at the lowest level possible and with guidance of the USDOT modality (FHWA, FTA, FAA) with

jurisdiction over the matter per 49 CFR 21.11 (d)(1). The option of formal mediation meeting(s) between the affected parties may be utilized for resolution, at any stage of the process. The investigator will make every effort to pursue a resolution of the complaint. Initial interviews with the complainant and the respondent will request information regarding specifically requested relief and settlement opportunities.

Any person who feels that he or she has been subjected to discrimination on the basis of race, color, national origin, gender, age, disability, or because they are low income, has the right to file a complaint with the Iowa Department of Transportation Office of Employee Services - Civil Rights. Title VI Complaints must be filed within 180 days of the alleged discriminatory event or practice. Complaints must be filed in person or in writing. They should be directed to:

Office of Employee Services - Civil Rights
Iowa Department of Transportation
Attn. Civil Rights Coordinator
800 Lincoln Way
Ames, Iowa 50010

Roles and Responsibilities

- The Office of Employee Services Director and Civil Rights Coordinator has overall responsibility for the discrimination complaint process and procedures.
- The Office of Employee Services Director, Civil Rights Coordinator, Title VI Specialist and Title VI Committee Members serve as points of contact statewide for the public to initiate complaints of discrimination.
- The Civil Rights Coordinator is responsible for conducting an impartial and objective investigation, collecting factual information and preparing a fact finding report based upon the information obtained from the investigation. In cases where the complainant is unable or incapable of providing a written statement, the complainant will be assisted in converting the verbal complaint into a written complaint. All complaints, however, must be signed by the complainant.

Filing of Formal Complaints

1. APPLICABILITY

The complaint procedures apply to the beneficiaries of the Iowa Department of Transportation's programs, activities, and services, including but not limited to the public and other sub-recipients of Federal Transportation funds.

2. ELIGIBILITY

Any person who believes that he/she has been excluded from participation in, or has been denied benefits or services of, any program or activity administered by the Department or its sub-recipients, consultants, and contractors on the basis of race,

color, national origin, sex, age, or disability may bring forth a complaint of discrimination under Title VI, Title II and related statutes.

3. TIME LIMITATIONS AND FILING OPTIONS

Title VI complaints of discrimination may be filed with:

- The Office of Employee Services-Civil Rights of the Iowa DOT
- Federal Highway Administration
- Federal Transit Administration
- U.S. Department of Transportation
- Iowa Labor Services Division
- U.S. Department of Justice

In all situations, Iowa Department of Transportation Civil Rights staff must immediately forward Title VI discrimination complaints to either FHWA or FTA.

Complaints must be filed no later than 180 days after:

- The date of the alleged act of discrimination; or
- The date when the person(s) became aware of the alleged discrimination; or
- Where there has been a continuing course of conduct, the date on which the conduct was discontinued.

4. TYPE OF COMPLAINTS

All Title VI and related statute complaints are considered formal as there is no informal process. Complaints must be in writing and signed by the complainant. Complaints must include the complainant's name, address and phone number and must be sufficiently detailed to specify all issues and circumstances of the alleged discrimination.

5. COMPLAINT BASIS

Allegations must be based on issues involving race, color, national origin, sex, age, disability, or income. The term "basis" refers to the complainant's protected group status.

Protected Group Categories	Definition	Examples
Race	An individual belonging to one of the accepted anthropological racial groups; or the perception, based on physical characteristics that a person is a member of a racial group.	Black, White, Hispanic, Asian, Native American Indian, Filipino, or Pacific Islander
Color	Color of skin, including shade of skin within a racial group.	Black, white, light brown, dark brown, etc.
National Origin	National birth site. Citizenship is not a factor. Discrimination based on language or a persons accent is covered by national origin.	Mexican, Cuban, Japanese, Vietnamese, Chinese
Sex	Gender	Women and men
Age	Persons of any age	21 year old person
Disability	Physical or mental impairment, permanent or temporary, or perceived.	Visual Impaired, Hearing Impaired, mobility limitations, etc.

Socio-Economic	Individuals and segments of communities (neighborhoods) that are below the HHS Poverty line index that are subject to provisions contained in Executive Order 12898 – Environmental Justice	Low-Income individuals and members of communities that may be subjected to adverse impacts or denied the benefits from transportation decision making because of their socioeconomic status.
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Complaint Procedures

1. INITIAL CONTACT

The Office of Employee Services Director, Civil Rights Coordinator, Title VI Specialist and Title VI Committee Members will provide complainants with:

- An explanation of their filing options.
- The discrimination complaint procedures.
- The Title VI Discrimination Complaint Form (107009).
- The Title II Discrimination Complaint Form (131103)
- The brochures, titled The Title VI and You and/or Title VI Sub-Recipient Guide Brochure(s)."

2. THE COMPLAINT REVIEW PROCESS – Title VI

- a. The Civil Rights Coordinator reviews the complaint upon receipt to ensure that relevant information is provided, the complaint is timely, and is appropriate for investigation.
 - If the complaint is not appropriate for investigation the complainant will be notified in writing and is provided with his/her rights under Title VI.
- b. The complaint shall be investigated unless:
 - The complaint is withdrawn.
 - The complainant fails to provide required information after numerous requests.
 - The complaint is not timely filed.
 - Any issues that do not involve discrimination, or are not based on a protected category will be directed to the appropriate entity. Under no circumstances is the complainant to be discouraged from filing a complaint.
- c. Upon determination that the complaint warrants an investigation:

The complainant is sent a letter, acknowledging receipt of the complaint, the name of the investigator, and is provided with his/her rights under Title VI and related statutes.
- d. The respondent is notified by mail that he/she has been named in a complaint and is provided with his/her rights under Title VI and related statutes. The letter also reveals the investigator's name and informs the respondent that he/she will be contacted for an interview.

- e. A letter is sent to the appropriate District Engineer or Office Director when the complainant(s) or respondent(s) are located in their District or Program Area. The letter will list the names of the parties involved, the basis of the complaint and the assigned investigator.
- f. The Civil Rights Coordinator is responsible for the overall Title VI program implementation. This Civil Rights Coordinator is appointed by the Manager of the Office of Employee Services who reports to the Director of Operations and Finance who reports directly to the Director of the Iowa Department of Transportation.

3. THE ADA WORK REQUEST PROCESS – Title II/ADA

- a. When a complaint of an ADA violation is received by the ADA Coordinator, the action to be taken will be determined in order to resolve the complaint. If the complaint is a request for services or modifications to facilities, then the ADA Coordinator will forward the request to the appropriate office for handling.
- b. The District Offices may receive a work request for services or for a modification of some part of Iowa DOT's facilities that, currently, do not meet ADA guidelines. The district or program office, upon receipt of an ADA-related work request, will direct it to the ADA Coordinator. The ADA Coordinator will forward the request to the appropriate office for handling. The ADA Coordinator will log-in the request in its work request system.
- c. After a review of the work request and an assessment has been completed and the modification required by the work request for ADA compliance is too costly, then the district or program office will submit a proposal to the Highway Division Director for a determination. A modification can be determined to be unduly burdensome and, therefore, not be provided. But, consideration of all reasonable alternations must be exhausted and a detailed cost estimate must be made and kept on file. Complaints may be received by phone, by fax, by email or in person.
- d. When an ADA-related work request is not completed by the Iowa DOT within a reasonable amount of time and the person making the complaint believes their civil rights have been violated, then a complaint may be filed in accordance with the Iowa DOT's Complaint Procedures under the Americans with Disabilities Act.

Investigation Process

1. INVESTIGATION PLAN

The investigator shall prepare a written plan, which includes, but is not limited to the following:

- Names of the complainant(s) and respondent(s);

- Basis for the complaint;
- Issues, events or circumstances that caused the person to believe that he/she has been discriminated against;
- Information needed to address the issue;
- Sources necessary to obtain the information;
- Identification of key people;
- Estimated Investigation time line;
- Remedy sought by complainant(s)

2. CONDUCTING THE INVESTIGATION

- The investigation shall address only those issues relevant to the allegations in the complaint.
- Confidentiality shall be maintained.
- Interviews will be conducted to obtain facts and evidence regarding the allegations in the complaint.
- Interviews may be tape recorded with the interviewees consent.
- A chronological contact sheet is maintained in the case file throughout the investigation.

3. INVESTIGATION REPORTING PROGRESS – Title VI

- Within 40 days of receiving the complaint, the investigator prepares an Investigative report and submits the report and supporting documentation to the Operations and Finance Director for review.
- The Director of Operations and Finance reviews the file and investigative report. Subsequent to the review, the Civil Rights Coordinator, makes a recommendation and prepares a letter for review and signature for the Director of Operations and Finance.
- The Civil Rights Coordinator shall prepare and submit a written report, outlining the following complaint details:
 - a. Date of written complaint;
 - b. Complaint basis (race, color, national origin, etc.);
 - c. Complaint disposition.

4. INVESTIGATION REPORTING PROGRESS – Title II/ADA

- Within 15 calendar days of receiving the complaint, the ADA Coordinator or his designee may meet with the complainant to discuss the complaint and the possible resolutions.
- Within 15 calendar days of the meeting, the ADA Coordinator or his designee will respond in writing, and where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape.

The response will explain the positions of the Iowa DOT and offer options for substantive resolution of the complaint.

- If the response by the ADA Coordinator or designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Highway Division Director.
- Within 15 calendar days after receipt of the appeal, the Highway Division Director or his designee may meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, Appendix D

the Highway Division Director or his designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a letter of finding to the complainant.

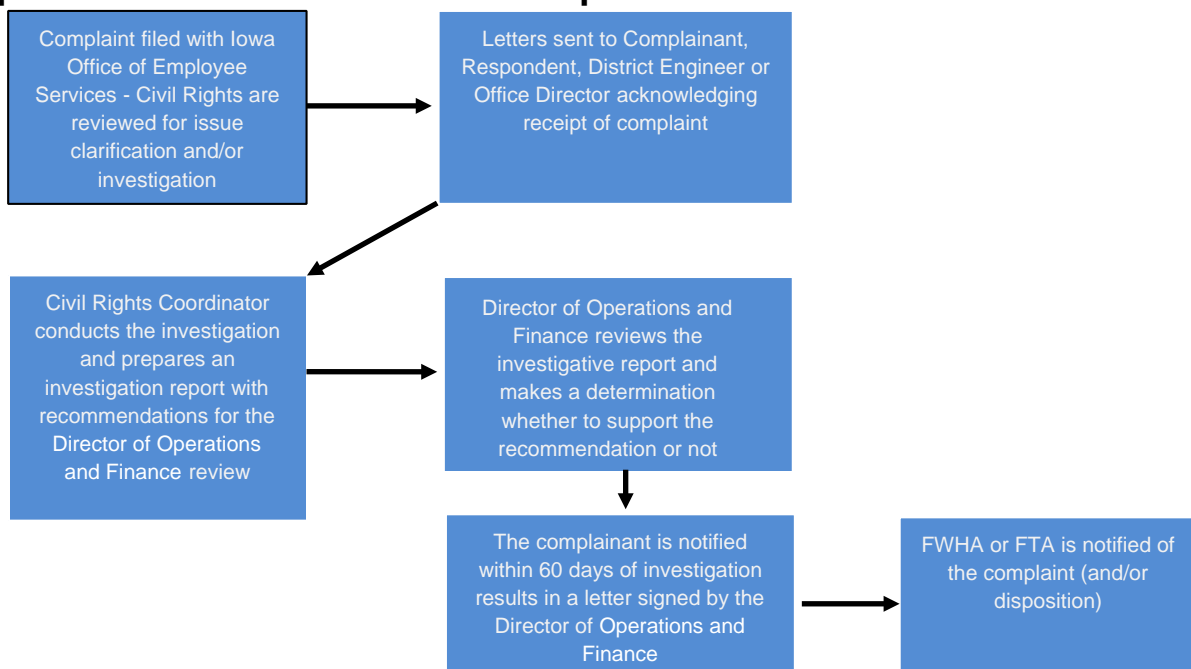
Reporting Requirements

A copy of the complaint, together with a copy of the report of investigation, is forwarded to the appropriate federal agency (FHWA or FTA) within 60 days of the date the complaint was received.

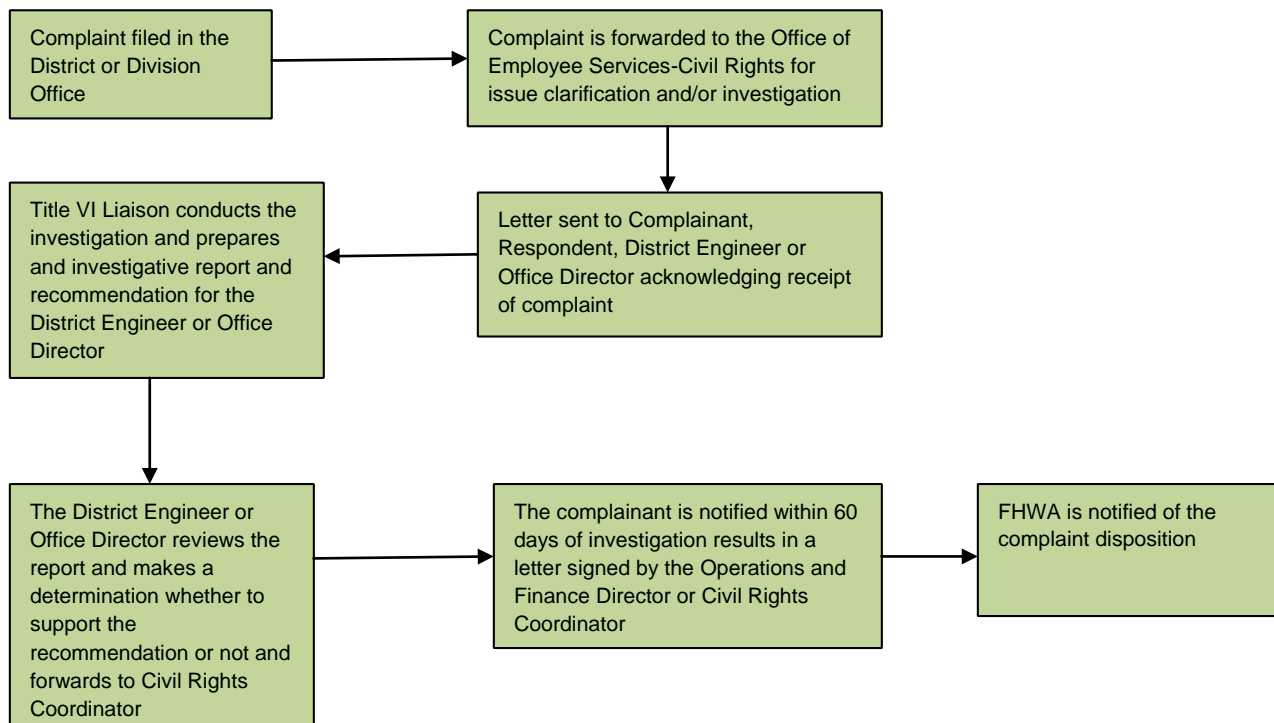
Records

All records and investigative working files are maintained in a confidential area within the Office of Employee Services-Civil Rights. Records will be kept for three years internally then archived for a period of ten years.

Complaint Process Flow Chart – Complaints filed with OES



Complaint Process Flow Chart – Complaints filed with Districts/Program Offices



Authorities

Title VI of the Civil Rights Act of 1964, (42 USC 2000d to 2000-4):

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, or national origin (including Limited English Proficiency), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance.

The Civil Rights Restoration Act of 1987, (Pub. L. No. 100-259):

The Civil Rights Restoration Act of 1987 broadens the scope of Title VI by expanding the definitions of terms “programs or activities” to include all programs or activities of Federal Aid recipients, sub-recipients, and contractors.

23 CFR 200 and 49 CFR 21:

23 CFR 200 and 49 CFR 21 are administrative Regulations from USDOT and FHWA that specify requirements for state DOTs to implement Title VI policies and procedures at the state and local levels.

Federal Aid Highway Act of 1973, (23 USC 324):

The Federal Aid Highway Act of 1973 provides that no person on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.

Age Discrimination Act of 1975, (42 USC 6101):

The Age Discrimination Act of 1975 provides that no person in the United States shall, on the basis age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.

Americans With Disabilities Act of 1990, (Pub. L. No. 101-336):

The Americans With Disabilities Act of 1990 provides that no qualified individual with a disability shall, by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination by a department, agency, special purpose district, or other instrumentality of a state or a local government.

Section 504 of the Rehabilitation Act of 1973:

Section 504 of the Rehabilitation Act of 1973 provides that no qualified handicapped person, shall, solely by reason of his/her handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.

Executive Order 12898:

Executive Order 12898 regards federal actions to address Environment Justice in minority populations and low income populations.

Executive Order 13166:

Executive Order 13166 regards the improvement of access to services for persons with limited English proficiency.

Title		Policy No.
Title VI Program		300.05
Responsible Office		Related Policies and Procedures
Office of Employee Services		230.03, 300.18
Effective/Revision Dates	Approval(s)	
5-24-1976/12-29-2015	<i>Paul Trombino III</i>	

Authority: Director of Transportation.

Contents: This policy establishes responsibilities for monitoring and reporting compliance with Title VI to ensure that no person is denied benefits of programs administered by the Department due to discrimination. Title VI also prohibits national origin discrimination as it affects limited English proficient persons. An appendix is included to provide guidance to Department staff in assisting persons with limited English proficiency.

Affected Offices: All districts and offices that provide any services or programs to the public.

Who to Contact for Policy Questions: Title VI Program Administrator in the Office of Employee Services, telephone 515-233-7970.

Definitions:

FHWA – Federal Highway Administration.

FMCSA- Federal Motor Carrier Safety Administration.

Limited English Proficiency (LEP) – Individuals are considered to have limited English proficiency if they do not speak English as their primary language and if they have limited ability to read, speak, write or understand English. Applicable regulations and executive orders include, but are not limited to, the following:

- Executive Order 13166 dated August 11, 2000 by President Clinton
- 23 CFR Part 200
- U.S. DOT LEP Policy Guidance, Federal Register, Volume 70, No. 239, Pages 7408774100

Title VI – Title VI of the federal Civil Rights Act of 1964. The term includes related federal statutes and regulations that prohibit discrimination on the basis of race, color, sex or national origin in programs or activities receiving federal financial assistance. Applicable statutes and regulations include, but are not limited to, the following:

- 42 U.S.C. 2000d to 2000d-4 {Title VI of the Civil Rights Act of 1964}
- 42 U.S.C. 3601-3619 {Title VIII (Fair Housing) of the Civil Rights Act of 1968}

- 42 U.S.C. 4601 to 4655 {Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970}
- 23 U.S.C. 109(h) {Consideration of Adverse Economic, Social and Environmental Effects}
- 23 U.S.C. 324 {Prohibition of Discrimination of the Basis of Sex}
- 49 CFR Part 21 {Nondiscrimination in Federally Assisted Programs of the Department of Transportation}
- 23 CFR Part 200 {Title VI Program and Related Statutes—Implementation and Review Procedures}

Forms: None

Policy and Procedure:

I. Program Administrator

- A. The Civil Rights Coordinator in the Office of Employee Services shall serve as the Department's Title VI Program Administrator.
- B. The Title VI Program Administrator is responsible for the administration, coordination and control of Title VI compliance procedures throughout the Department and shall also:
 1. Initiate and monitor Title VI activities by establishing goals and objectives to be accomplished within specific time limits.
 2. Advise, consult and provide training for district engineers, office directors and their Title VI program area coordinators concerning the accomplishment of Title VI program objectives.
 3. Assist the district engineers, office directors and Title VI program area coordinators in investigating and resolving Title VI and related discrimination complaints.
 4. Prepare and submit to the FHWA and/or FMCSA the required annual report and the supporting documentation.

II. Implementation

Each district engineer or office director who administers federally-funded programs is responsible for the implementation of the Title VI commitments in those programs. The district engineer or office director shall also:

- A. Appoint a Title VI program area coordinator and inform the Title VI Program Administrator of any changes in the appointment.

- B. Monitor compliance in all programs and perform compliance reviews of Departmental districts or offices in cooperation with the FHWA and/or FMCSA. When deficiencies in compliance are found, the district engineer or office director shall, with the assistance of the Title VI program area coordinator, negotiate corrective actions. The district engineer or office director shall refer deficiencies that cannot be corrected through negotiation to the Title VI Program Administrator for resolution.
- C. Ensure that personnel and budgets are adequate to accomplish Title VI commitments.
- D. Ensure that disadvantaged businesses are given an opportunity to participate in programs, activities or services.

III. Monitoring

The Title VI program area coordinator is responsible for monitoring all Title VI activities of the district or office and shall also:

- A. Inform all recipients of federally funded programs administered by the district or office of prohibited discriminatory practices.
- B. Develop procedures for the collection of racial and ethnic data on participants to ensure compliance.
- C. Submit an annual report on district or office compliance and a program update to the Title VI Program Administrator.

Any exceptions to this policy must be approved by the Director of Transportation.

**Appendix to Policy No. 300.05, Title VI Program
Limited English Proficiency (LEP)**

A. General

President Clinton signed Executive Order 13166 "Improving Access to Services for Persons with Limited English Proficiency" (LEP) on August 11, 2000. For LEP individuals, language can be a barrier to accessing important benefits or services, understanding and exercising important rights, complying with applicable responsibilities, or understanding other information provided by the Iowa Department of Transportation's (Iowa DOT) programs and activities. Programs and services normally provided in English must be accessible to persons with LEP in order to avoid national origin discrimination that is prohibited by Title VI. As a result, recipients of federal financial assistance have an obligation to reduce language barriers that can preclude meaningful access to important government services by LEP persons.

The central goal of Executive Order 13166 is to provide meaningful access for LEP persons to programs and services offered by recipients of federal financial assistance. The Iowa DOT continues to be subject to these federal non-discrimination requirements even though Iowa has statutes requiring use of the English language (see Iowa Code sections 1.18, 618.1, and 618.2) because federal requirements supersede state and local ones. Additionally, Iowa Code section 307.44 provides that if "funds are allotted or appropriated by the government of the United States for the improvement of transportation facilities and services in this state, the department...may comply with the federal statutes and rules..." This authorizes the Iowa DOT to carry out its LEP responsibilities under Federal law.

B. Guidance

As a recipient of federal financial assistance, the Iowa DOT is required to take reasonable steps to ensure meaningful access to its programs and activities by LEP persons. It is important to note that because of the Civil Rights Restoration Act of 1987 (P.L. 100-259) this applies to all activities and programs, not just those that involve federal assistance. It is, therefore, necessary to determine what level of effort is reasonable to ensure meaningful access. That determination is based on a case-by-case assessment that balances four factors:

1. The number or proportion of LEP persons served or encountered in the eligible service population.

The more LEP persons who are served or directly affected by a particular project or service, the more likely it is that language services will be needed. Prior experience with LEP persons should be considered when determining the scope of services that are needed. It is important to note that eligible recipients may currently be underserved or unrecognized because of existing language barriers.

Valuable data resources that may need to be considered include the census, school systems, community and religious organizations and legal aid entities.

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

The more frequently that LEP individuals have contact with the Iowa DOT over an issue, the more likely it is that language services will be needed. What is reasonable for a service needed only once will be significantly different for something that is needed repeatedly. The frequency of contact with any particular language should also be considered. For example, meaningful access efforts for a document issued multiple times in one language may be much different than for the same document needed only once in another. If access is needed on a daily basis, the effort required may be much more significant than for something needed infrequently. On the other hand, infrequent need does not mean that no effort is required, but suggests that a reduced effort may be satisfactory.

3. The nature and importance of the program, activity or service.

As the information being exchanged becomes more important, the consequences to the user increase. As a result, the likelihood that an increased level of language services is necessary increases as well. It should be determined how serious the implications are to the LEP person due to a delay or denial of the information in question. As an example, the U.S. DOT LEP Policy Guidance indicates that the obligation to provide information about public transportation would be different than the obligation to provide information about recreational programming. U.S. DOT and U.S. Department of Justice Policy Guidance suggest that the importance of the activity is heightened when denial or delay of access to services could have serious or life-threatening implications for the LEP individual. Additionally, the fact that a federal, state or local entity has made an activity compulsory, such as the requirement that a person must have a license before driving, is strong evidence of the importance of the activity.

4. The resources available.

The level of resources needed and the costs imposed may have an impact on the nature of the steps taken in providing meaningful access for LEP persons. Reasonable steps may cease to be reasonable if the costs imposed substantially exceed the benefits. U.S. DOT LEP Policy Guidance cautions; however, that larger entities and entities serving a significant number or proportion of LEP persons should ensure that their resource limitations are well substantiated before using a claimed lack of resources or excessive cost as a reason to limit language assistance.

C. Language Assistance Services

The four factor analysis applied on a case-by-case basis results in a "mix" of language services. These services are provided in two main ways: interpretation and translation.

1. Oral Language Services (Interpretation)

Interpretation is the act of listening to something in one language (source language) and orally translating it into another language (target language).

An effort should be made to ensure the competency of interpreters. This involves more than interpreters identifying themselves as bilingual. However, it does not necessarily mean formal certification, although that is beneficial.

Interpreters should demonstrate proficiency and the ability to communicate information accurately in both English and the other language, and identify and employ the appropriate mode of interpreting (e.g., consecutive, simultaneous, summarization or sight translation). Interpreters should have knowledge in both languages of any specialized terms or concepts peculiar to the program or activity and of any particularized vocabulary and phraseology used by the LEP person and understand and follow confidentiality and impartiality rules to the same extent as the Iowa DOT employee for whom they are interpreting and/or to the extent their position requires. They should understand and adhere to their role as interpreters without deviating into other roles such as counselor or legal advisor.

Quality and accuracy of the language service provided and relative to the information being provided are critical. For example, accuracy in a right-of-way transaction would need to be extremely high, while the accuracy for bicycle trail information may not need to meet the same standard.

There are many options available for interpretation services.

- Bilingual staff.
- Hiring staff interpreters.
- Contracting for interpreters.
- Telephone interpreter lines.
- Community volunteers.
- Family members.

U.S. DOT LEP Policy Guidance indicates the Iowa DOT should not plan to rely on family members, friends and other service participants, and should use them as interpreters only in exigent circumstances that are not reasonably foreseeable, and then only when appropriate in light of the circumstances existing. Care should be taken to ensure that the interpreter is competent to interpret, that the interpreter does not have either a personal or business interest in the matter being interpreted and that use of that person as an interpreter will not violate any duty of confidentiality or privacy to the LEP person.

An LEP person may desire to use an interpreter of his or her own choice (whether professional interpreter, family member or friend) in place of or as a supplement to the free language services offered by the Iowa DOT. This is generally permissible when done at the LEP person's own expense, but again care should be taken to ensure that the person is competent to interpret and does not have either a personal or business interest in the matter being interpreted and that use of the person as an interpreter will not violate any duty of confidentiality or privacy to the LEP person.

2. Written Language Services (Translation)

Translation is the replacement of a written text from one language (source language) into an equivalent written text in another language (target language).

Vital documents must be translated when reaching the safe harbor threshold for the number or percentage of the population eligible to be served or likely to be directly affected by the program/activity, needs services or information in a language other than English to communicate effectively.

A document will be considered vital if it contains information that is critical for obtaining the program's services and/or benefits, or if it is required by law. An overview of documents that may be considered vital can be found in the U.S. DOT LEP Policy Guidance, Federal Register, Volume 70, No. 239, pages 74094 to 74095.

The "safe harbor" provisions of the U.S. DOT LEP Policy Guidance (see page 74095) shall be followed when determining whether to translate a vital document. Following the "safe harbor" provisions, the Iowa DOT shall:

- a. Provide written translations of vital documents for each eligible LEP language group that constitutes 5 percent or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. Translation of other documents, if needed, can be provided orally; or
- b. If there is a language group for which fewer than 50 persons reaches the 5 percent trigger in paragraph "a" above, translation of vital written materials is not necessary as long as written notice in the primary language of the LEP language group is provided stating the right to receive competent oral interpretation of those written materials at no cost.

3. Published Notices

Compliance with Title VI and LEP guidelines may require oral interpretation or written translation of notices required by law to be published. Iowa Code section 618.1 provides that "[a]ll notices, proceedings, and other matter whatsoever, required by law or ordinance to be published in a newspaper, shall be published

only in the English language and in newspapers published primarily in the English language."

Iowa Code section 618.2 provides that a public official that violates Code section 618.1 is guilty of a simple misdemeanor. Again, the Iowa DOT continues to be subject to the federal non-discrimination requirements despite Iowa's English language requirements because federal requirements supersede state and local ones and Iowa Code section 307.44 permits the Iowa DOT to comply with federal statutes and rules when it has received federal funding. This allowance includes the use of non-English language newspapers when deemed necessary to reach an affected LEP language group. In the interest, however, of minimizing conflict with Iowa Code section 618.1, notices required by law to be published in a newspaper should be translated to a language other than English only when required by careful application of the four-part balancing test and the safe harbor provisions described above.

D. References

Iowa Code sections 1.18, 307.44, 618.1 and 618.2

FHWA LEP Desk Reference (*available from the Iowa DOT's Offices of Contracts and Employee Services, and the Iowa DOT Library*)

Iowa DOT "I Speak" language identification tool (*available on DOTNET*)

Iowa DOT list of interpreters (*available on DOTNET*)

www.census.gov



Iowa Department of Transportation Policies and Procedures Manual

Title Equal Employment Opportunity and Affirmative Action		Policy No. 230.03
Responsible Office Director's Staff Division		Related Policies and Procedures 230.02, 230.08, 230.09, 230.10
Effective/Revision Dates 9-1-76/ 12-5-05	Approval(s) Mary Christy	

Authority: Director of the Director's Staff Division.

Contents: This policy prohibits unlawful discrimination, discriminatory harassment and sexual harassment and establishes employee responsibilities for equal employment opportunity and affirmative action. **Affected Offices:** All

Who to Contact for Policy Questions: Affirmative Action Officer in the Director's Staff Division; telephone 515-239-1102.

Definitions:

Affirmative action - Positive action appropriate to overcome the documented effects of past or present practices, policies or other barriers to equal employment opportunity.

Affirmative action appointment - Selection of a protected class applicant when:

- The position is in a job class that has been documented as underutilized for a protected class, and
- The applicant possesses the skills and abilities identified in the essential functions for the position.

Affirmative Action Officer - The position in the Department, organizationally placed in the Director's Staff Division, that oversees the DOT's equal employment opportunity and affirmative action programs, efforts and progress.

Alternative dispute resolution process - An informal procedure to assist parties with fashioning an agreement that mitigates areas of conflict.

Discriminatory harassment - Adverse treatment of an employee or a group of employees, whether intentional or unintentional, based on such characteristics as race, religion, national origin, sex, color, creed, mental or physical disability, or age.

EEO/AA complaint - Any oral or written report or observation alleging a violation of this policy.

Equal employment opportunity - Prohibition against unlawful discrimination in employment policies and practices on the basis of race, religion, national origin, sex, color, creed, mental or physical disability, or age.

Protected classes -

- Ethnic minorities. Persons having origins in any of the following--African racial groups (Blacks); Spanish cultural groups (Hispanic); original North American racial groups (American Indian or Alaskan native); or Far Eastern, Southeast Asian, Indian, or Pacific Island groups (Asian or Pacific Islander).
- Women.
- Persons with disabilities. Persons who a) have a physical or mental impairment that substantially limits one or more major life activities, b) have a record of such an impairment, or c) are regarded as having such an impairment.
- Persons age 18 or older.

Reasonable accommodation: A modification or adjustment to a job, an employment practice, or work environment that makes it possible for an individual with a disability to enjoy the benefits and privileges of employment equal to those enjoyed by individuals without disabilities, as long as such accommodation does not cause an undue hardship for the Department.

Sexual harassment - Any act that uses sexual submission or rejection as a condition of employment, or conduct of a sexual nature that interferes with an employee's work performance by creating an intimidating, hostile or offensive work environment.

Underutilized class - Comparison of the composition of the Department's workforce to the availability of females, minorities, and persons with disabilities within the relevant labor market. When employment of specific groups in the workforce is below the percentage of those groups in the relevant labor market, the workforce is considered underutilized.

Undue hardship - An action that rises to the level of being significantly difficult or expensive to implement.

Unlawful discrimination - The act of making an unlawful distinction or decision concerning applicants or employees on the basis of race, religion, national origin, sex, color, creed, mental or physical disability, or age, when such act affects those persons' employment situations in any way.

References: Applicable statutes and regulations relating to civil rights, equal employment opportunity and affirmative action include, but are not limited to, the following:

42 USC Section 2000e et. seq. {Title VII of the Civil Rights Act of 1964}
42 USC Chapter 126 {Americans with Disabilities Act of 1990}
29 USC Section 794 {Section 504 of the Rehabilitation Act of 1973}
29 USC Section 206(d) {Equal Pay Act of 1963}
29 USC Section 621 et. seq. {Age Discrimination in Employment Act of 1967}
29 CFR Parts 1600-1699 {Equal Employment Opportunity Commission}
U.S. Executive Order 11246 {Equal Opportunity in Federal Employment}

Iowa Code Chapter 19B {Equal Opportunity and Affirmative Action}
Iowa Code Chapter 216 {Iowa Civil Rights Act of 1965}
State of Iowa Executive Orders 15(4-2-73), 34(7-22-88), 44(4-30-92), and 18(3-28-2001)
State of Iowa Equal Opportunity, Affirmative Action and Anti-discrimination Policy (11-12001) {Section 2.40 of the Managers and Supervisors Manual}
Iowa Department of Administrative Services rules 11 IAC Chapter 68
Managers and Supervisors Manual, Chapters 2 and 4

Forms:

140009 - *Hiring Decision Justification/Applicant Interview Report* {available on DOTNET}
140039 - *Internal Complaint of Discrimination* {available on DOTNET}
CFN 552-0674 - *Individual Performance Plan and Evaluation (IPPE)* {available on

DOTNET} P-1 - *Report of Personnel Action* {mainframe program} **Policy and Procedure:**

I. Policy

- A. The Department is an equal employment opportunity and affirmative action employer. All employees shall receive affirmative action training.
- B. Managers and supervisors shall appoint, promote, assign, train and evaluate the performance of employees on the basis of individual qualification and merit and shall not unlawfully discriminate against applicants and employees. Unlawful discrimination is a violation of this policy and is prohibited.
- C. Reasonable accommodations for employees with disabilities shall be made unless these accommodations would create undue hardship for the Department.
- D. Hiring goals for underutilized job classes shall be established when vacancies are anticipated and hiring opportunities exist.
- E. All employees shall have access to training and career development information. Training and career development opportunities shall not be withheld from any employee for any reason that is considered unlawful discrimination.
- F. Sexual harassment and discriminatory harassment of employees and individuals who are doing business with the Department are violations of this policy and are prohibited. Examples of prohibited conduct include, but are not limited to:
 - Inappropriate or offensive touching, hugging or kissing; requests for sexual favors; sexual advances; or comments or actions that are sexually suggestive or are sexual in nature.
 - Comments or actions that are offensive or discriminatory based on membership in a protected class, gender, religious beliefs, or ancestry.

Forms of sexual or discriminatory harassment include, but are not limited to, jokes, pictures, drawings or objects such as calendars, magazine centerfolds, cartoons, posters, t-shirts or caps.

- G. Any employee who alleges an act of unlawful discrimination, discriminatory harassment or sexual harassment has the right to seek resolution of the situation without jeopardizing employment or future career opportunities.
- H. The Department will not tolerate any attempt at retaliation, punishment, reprisal, or adverse treatment against a person who reports conduct prohibited by this policy. Any employee who engages in or attempts to engage in such retaliatory behavior is subject to disciplinary action up to and including discharge.

II. Responsibilities of Employees, Managers and Supervisors

- A. **Employees.** All employees of the Department, including managers and supervisors, are responsible for maintaining a work environment free of unlawful discrimination, discriminatory harassment and sexual harassment. Employees shall:
 - Be a positive role model for co-workers.
 - Tell a person who is acting in violation of this policy to stop.
 - Report, in detail, acts of unlawful discrimination, discriminatory harassment or sexual harassment that the employee has experienced or witnessed to a supervisor, the Affirmative Action Officer in the Director's Staff Division or the Office of Employee Services.
 - Cooperate with any investigation by offering detailed information and responding openly, truthfully and completely to all questions.
- B. **Managers and Supervisors.** In addition to the responsibilities listed above, managers and supervisors shall:
 - 1. Assure compliance with this policy and assist employees in understanding the concept of affirmative action and its application at the Department of Transportation. The Affirmative Action Officer in the Director's Staff Division is available to help managers and supervisors educate employees.
 - 2. In the hiring process, implement the affirmative action requirements of this policy as follows:
 - Initiate recruitment activities when necessary to meet affirmative action goals. Managers and supervisors shall contact the Recruitment Coordinator in the Office of Employee Services for guidance on recruitment activities. The Recruitment Officer will work with the Department of Administrative Services as needed.
 - Consider protected class applicants for all hires and make affirmative action appointments when feasible (see **Definitions** on page 1).
 - (Selecting authority) Complete Form 140009, *Hiring Decision Justification/ Applicant Interview Report*, after the candidates have been interviewed but prior to extending a job offer, and forward the form to the Affirmative Action

Officer in the Director's Staff Division. This form is required for the following permanent full-time appointments: new hires, promotions, reinstatements, demotions, outplacements and non-contract transfers.

- (Selecting authority) As an attachment to Form 140009 or in an E-mail to the Affirmative Action Officer, provide justification that addresses the essential functions of the position, the screening criteria used, and a comparison of applicants to the essential functions and screening criteria. The justification shall also indicate that reference checks are complete. The Affirmative Action Officer will advise the selecting authority whether or not the justification is sufficient.
3. Provide fair and equitable access to appropriate training opportunities and work assignments.

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4. Include training plans in the performance plans of the employees they supervise, as appropriate.
5. Make reasonable accommodations for individuals with disabilities unless the accommodation would create an undue hardship. See Policy No. 230.10, *Restricted Duty and Reasonable Accommodation*. The manager or supervisor must contact the Affirmative Action Officer if a reasonable accommodation under Policy No. 230.10 is requested or is being made.
6. Take steps to prevent unlawful discrimination, discriminatory harassment and sexual harassment by making a reasonable effort to:
 - Be aware of and sensitive to all employees' behavior.
 - Establish and maintain an environment that makes it comfortable for employees to report acts of unlawful discrimination, discriminatory harassment and sexual harassment.
 - Act promptly to stop observed acts of unlawful discrimination, discriminatory harassment, sexual harassment or retaliation without waiting for a written EEO/AA complaint.
7. Investigate and resolve acts that violate this policy, as follows:
 - Notify the Office of Employee Services if they have observed, intervened in, or received a report of an act that violates this policy.
 - When notified by the Office of Employee Services of an EEO/AA complaint, work with the Office of Employee Services and the Affirmative Action Officer in the Director's Staff Division to investigate the complaint promptly, thoroughly and sincerely. All

investigations must be conducted in accordance with Policy No. 230.09, *Investigations*.

- Implement and support any discipline or other corrective action to be taken following an investigation. See Policy No. 230.02, *Discipline and Other Corrective Action*.
- Periodically, verify with the work unit or employee that no retaliatory behavior has occurred following the close of an investigation. If such behavior has occurred, follow the complaint procedure in this policy.

III. EEO/AA Complaint Process

A. Filing complaints within the DOT.

1. To file an EEO/AA complaint, the employee shall report the incident in writing, including all pertinent details, to an Employment Relations Officer in the Office of Employee Services. Form 140039 may be used.
2. The Employment Relations Officer shall inform the Affirmative Action Officer of the complaint. The Employment Relations Officer and the Affirmative Action Officer shall meet with the complainant to determine if an alternative dispute resolution process, such as mediation, is a viable option for resolution of the issue.
3. If the employee is willing to attempt an alternative dispute resolution process, the Employment Relations Officer and the Affirmative Action Officer shall coordinate the process with the appropriate staff.
4. If an investigation is necessary, the Employment Relations Officer and the Affirmative Action Officer shall work with the appropriate division director to determine who will conduct the investigation. The investigation shall be conducted in accordance with Policy 230.09, *Investigations*.
5. The Employment Relations Officer and the Affirmative Action Officer shall keep the division director or the division director's designee and the employee informed of the status of the investigation.
6. After the investigation is complete, the person conducting the investigation shall so notify the Employment Relations Officer. The Employment Relations Officer shall provide to the Affirmative Action Officer and the division director a copy of the completed investigation report and schedule a meeting with the person conducting the investigation, other appropriate management staff and the Affirmative Action Officer to review the results of the investigation.
7. If the results of the investigation indicate that a violation of this policy has occurred, a determination shall be made as to if and what level of discipline or other corrective

action is warranted. See Policy No. 230.02, *Discipline and Other Corrective Action*, for details of this process.

- B. **Filing complaints with external compliance agencies.** Nothing in this or any other DOT policy is intended to restrict the rights of an employee to pursue any other remedies that may be authorized by law. The Iowa Civil Rights Commission and the U.S. Equal Employment Opportunity Commission are two agencies that may be consulted for further advice and procedures, including applicable time limits.
- C. **Grievance.** Do not use the grievance policy in lieu of this policy for filing or resolving a complaint alleging discrimination, unlawful discrimination or sexual harassment.

IV. Disciplinary Matters

To ensure that all employees are treated fairly in matters of discipline, managers and supervisors shall work with the Employment Relations Officer in the Office of Employee Services on disciplinary matters in accordance with Policy No. 230.02. The Employment Relations Officer shall keep the Affirmative Action Officer informed of the status of discipline involving members of protected classes.

V. Other Equal Employment Opportunity and Affirmative Action Activities

The Affirmative Action Officer in the Director's Staff Division shall:

- A. Coordinate the preparation of the agency's affirmative action plan and required reports, distribute the plan and reports, advise employees regarding implementation of the plan, and maintain records required by law.

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- B. Each year, establish hiring goals for underutilized job classes in consultation with DOT senior management.
- C. Review exit interviews and summaries of grievances and disciplinary actions provided by the Office of Employee Services to determine if patterns of discrimination exist. Notify appropriate staff of situations that appear to violate this policy.
- D. Maintain files of EEO/AA complaint investigations.
- E. Receive formal notice of complaints filed with external compliance agencies. Notify the affected division director and appropriate staff of a complaint, assist in drafting a reply, and ensure that the reply is complete and filed in a timely manner. Notify the division director and appropriate staff of actions taken or decisions made by external compliance agencies.

VI. Policy Violations

- A. Managers and supervisors are subject to potential disciplinary action if they fail to take appropriate action when:
 - They are aware of acts of unlawful discrimination, discriminatory harassment or sexual harassment and
 - These acts have occurred within their areas of responsibility.

B. Any employee is subject to potential disciplinary action:

- For the employee's own acts of unlawful discrimination, discriminatory harassment, sexual harassment or retaliatory behavior in, or reasonably related to, the workplace.
- For failing to cooperate with an investigation of acts prohibited by this policy.
- For failing to mitigate or report acts prohibited by this policy.

VII. Conflict

If any provision of this policy conflicts with a collective bargaining agreement or Iowa Department of Administrative Services administrative rule, the agreement or rule, as applicable, shall prevail in all issues except for those in conflict with state and federal laws regarding civil rights.

VIII. Required Posting

Supervisors shall post this policy on bulletin boards within their respective work areas. This policy is also on DOTNET.



Iowa Department of Transportation

Title		Policy No.
Disadvantaged Business Enterprise Participation		300.18
Responsible Office		Related Policies and Procedures
Office of Employee Services		300.04, 300.05, 300.12
Effective/Revision Dates	Approval(s)	
10-9-1980/3-2-2012	<i>Lee A. Wilkinson</i>	

Authority: Director of the Operations and Finance Division in accordance with 49 CFR Part 26; Iowa Code sections 307.44, 313.10, 314.1 and 314.15; and Article 1102.17 of the Standard Specifications.

Contents: This policy establishes procedures to encourage and increase participation by disadvantaged business enterprises in federal-aid highway contracting opportunities.

Affected Offices: All Highway Division Offices and the Office of Employee Services.

Who to Contact for Policy Questions: Office of Employee Services, telephone 515-239-1422.

Definitions:

Affirmative Action – Specific steps to be taken to assure that disadvantaged business enterprises will have an equitable opportunity to compete for federally-funded contracts.

Disadvantaged Business Enterprise (DBE) – A small business that is both owned and controlled by socially and economically disadvantaged individuals. Socially and economically disadvantaged individuals must own 51 percent or more of the business and control the management and daily operations of the business. There shall be a rebuttable presumption that members of the following groups who are U.S. citizens (or lawfully admitted permanent residents) are socially and economically disadvantaged:

- Black Americans – Persons having origins in any of the Black racial groups of Africa.
- Hispanic Americans – Persons of Mexican, Puerto Rican, Cuban, Dominican, Central or South American, or other Spanish or Portuguese culture or origin, regardless of race.
- Native Americans – Persons who are American Indians, Eskimos, Aleuts, or Native Hawaiians.
- Asian-Pacific Americans – Persons whose origins are from Japan, China, Taiwan, Korea, Burma (Myanmar), Vietnam, Laos, Cambodia (Kampuchea), Thailand, Malaysia, Indonesia, the Philippines, Brunei, Samoa, Guam, the U.S. Trust Territories of the Pacific Islands (Republic of Palau), the Commonwealth of the Northern Marianas Islands, Macao, Fiji, Tonga, Kirbati, Juvalu, Nauru, Federated States of Micronesia, or Hong Kong.

- Subcontinent Asian Americans – Persons whose origins are from India, Pakistan, Bangladesh, Bhutan, the Maldives Islands, Nepal or Sri Lanka.
- Women.
- Any additional groups whose members are designated as socially and economically disadvantaged by the U.S. Small Business Administration.

Forms:

102115 - *Disadvantaged Business Enterprise Information: Statement of DBE Commitments*

102116 - *Certification of DBE Accomplishment*

650194 - *Uniform Certification Application*

Policy and Procedure:

I. Policy

It is the policy of the Iowa DOT that disadvantaged business enterprises (DBEs) shall have the maximum practicable opportunity to participate in the performance of contracts financed in whole or in part with federal-aid highway funds.

II. Responsibilities

- A. The Director of the Operations and Finance Division shall serve as DBE Liaison Officer for the federal-aid highway program and shall be responsible for:
 1. The overall development, coordination, and implementation of the Iowa DOT's DBE program.
 2. The assurance that all reasonable effort is undertaken to provide the necessary staff, funding, authority, and administrative support to maximize efforts in carrying out the program.
- B. The DBE Coordinator shall be responsible for developing the Iowa DOT's DBE program. The Highway Division shall be consulted during the DBE plan development.
- C. The DBE Coordinator shall be responsible for managing the Iowa DOT's DBE program on a day-to-day basis.
- D. The DBE Coordinator may delegate responsibilities in sections III. B., C. and D. of this policy to the Civil Rights Team in the Office of Employee Services.

III. Procedures

A. Overall Goals for Federal-Aid Highway Contracts

The DBE Coordinator shall:

1. Review proposed federal-aid highway contracts to identify those contracting activities which have the greatest potential for DBE participation.

2. Establish separate overall goals for the percentage of work to be performed by DBEs. Overall goals shall be based on:
 - a. Projections of the number and types of federal-aid highway contracts to be awarded and the number and types of DBEs likely to be available to compete for the contracts.
 - b. The past level of DBE participation and the capabilities of known firms.
 - c. The requirements of 49 CFR Part 26.
3. Submit overall goals to the FHWA for approval in accordance with 49 CFR Part 26.

B. Federal-Aid Highway Construction Contracts

1. Affirmative Action Techniques. The DBE Coordinator shall:
 - a. Coordinate activities as appropriate with the Highway Division's letting schedule to facilitate participation of DBEs.
 - b. Provide technical assistance to DBEs and aid them in overcoming barriers such as the inability to obtain bonding or financing.
 - c. Disseminate information to DBEs regarding highway construction contracting opportunities.
2. Certification. The DBE Coordinator shall certify the eligibility of DBEs and joint ventures involving DBEs.
 - a. An applicant DBE firm must complete a *Uniform Certification Application* (Form 650194) with documentation of the firm's ownership and control according to the requirements of 49 CFR Part 26, Subpart D, and submit the application and documentation to the Office of Employee Services. The application form is available from the Office of Employee Services; the form is also available on the Iowa DOT's DBE or forms websites.
 - b. The Civil Rights Team shall review the application and documents to determine the firm's eligibility for certification by investigating and analyzing information in accordance with the requirements of 49 CFR Part 26.
3. DBE Directory. The Civil Rights Team shall:
 - a. Maintain a current directory of certified DBEs, identifying their general interest to perform specific types of work.
 - b. Make the directory available to all recipients of U.S. DOT funds.

A copy of the directory is available on the Iowa DOT's DBE website.
4. Contract Involvement Goals. The DBE Coordinator shall:

- a. Review proposed federal-aid highway construction contracts to identify those contracting activities which have the greatest potential for DBE participation.
 - b. Establish contract involvement goals for the percentage of work to be performed by DBEs on prime federal-aid contracts with subcontracting possibilities. Goals for a specific contract shall be based on the known availability of certified DBEs.
- 5. Solicitation and Contract Award. When specific contract involvement goals have been established, bidders shall be required to meet the goals or meet or exceed the average commitments of other bidders as the measure of good faith effort.
 - a. Bidders shall complete Form 102115 as required by Article 1102.17 of the Standard Specifications. Failure to provide the information specified shall render the bid non-responsive.
 - b. The successful bidder shall be selected on the basis of having submitted the lowest responsive bid. To be considered responsive, the bidder must have exceeded the goal, met the goal, or made a good faith effort to meet the goal.
- 6. Contract Performance.
 - a. The contractor shall use the DBEs listed on Form 102115 for the amounts submitted at the letting. If any DBE is unable to perform items that were listed on this form, the DBE shall provide to the DBE Coordinator a signed statement saying why it is unable to complete the work. If a DBE is unable to perform any item, the prime contractor shall document its efforts to have another DBE perform that item or to have a DBE perform other items to replace the original DBE goal amounts.
 - b. The contractor shall maintain records of eligible DBE work for the contract. The contractor shall submit a certification (Form 102116) listing all DBE firms that were engaged in the contract and report the total dollar amount paid, or which will be paid, to each. This certification must be submitted to the DBE Coordinator as part of the final project documents. It must be dated and signed by a responsible official legally representing the contractor.
 - c. On receipt of the final documents, the DBE Coordinator will verify that the contractor has attained the DBE commitment specified on Form 102115. Failure to meet the specified DBE commitment will result in a penalty of an amount equal to the difference between the actual DBE dollars paid and the contractor's DBE commitment.
 - d. For the repeated failure of the contractor to meet the DBE commitment, the contracting firm may have limitations imposed on its bidder qualifications in accordance with Article 1102.03 of the Standard Specifications by the Office of Employee Services in consultation with the Contracts Engineer.

C. Federal-Aid Transportation Consultant Contracts (See Policy No. 300.04,

Prequalification of Architectural, Engineering and Related Professional and Technical Firms, and Policy No. 300.12, Negotiated Contracts for Architectural, Engineering, and Related Professional and Technical Services.)

1. Pre-Selection.

a. The DBE Coordinator shall:

- (1) Certify the eligibility of DBEs and joint ventures involving DBEs.
- (2) Maintain a current directory of certified DBEs.
- (3) Assure that affirmative action techniques are used to encourage DBEs to prequalify in accordance with Policy No. 300.04 and to assist them in doing so.
- (4) Assure that DBE contract involvement goals are established when warranted.

b. If information in an application for prequalification is not satisfactory and the applicant is a DBE, the Consultant Contract Coordinator in the Office of Design shall contact the DBE and make a good faith effort to assist the firm in becoming prequalified.

c. The office to be responsible for administration of the contract (administering office) shall establish a DBE involvement goal if the contract will be funded in whole or in part with federal-aid transportation funds.

2. Selection. The Consultant Contract Coordinator and the Selection Committee shall:

- a. Assure that full consideration is given to the use of prequalified, certified DBEs as prime consultants and that a good faith effort is made in meeting a DBE involvement goal.
- b. Assure that the consultants considered are furnished with the names of prequalified (if required), certified DBE consulting firms that could be involved as subconsultants.

Note: Prime consultants must be prequalified. Prequalification of subconsultants is also required if a work category exists for the services to be provided by the subconsultant.

3. Negotiations and Contract Award. The administering office shall assure that the DBE involvement goal will be met or that a good faith effort has been provided.

4. Contract Performance.

- a. The prime consultant shall use DBEs as subconsultants or suppliers as indicated in its proposal. Failure to do so shall be reported in writing to the administering office.

- b. The prime consultant shall make a good faith effort to replace a DBE unable to perform successfully with another DBE. The administering office in consultation Appendix G

with the DBE Coordinator shall approve all substitutions both before execution of the contract and during contract performance to assure that the substitute firms are prequalified (if required), certified DBEs.

- c. The administering office shall review the prime consultant's DBE involvement effort to assure that all DBE obligations are met.

D. Denial of Certification and Removal of Eligibility

1. Any DBE that is judged to be ineligible for certification shall be notified in writing by the DBE Coordinator of the reasons for the denial of certification and of the steps that may be taken to appeal the action.
2. The aggrieved firm shall have 15 days to appeal the denial of certification in writing from the date the notice was received.
3. The appeal shall be reviewed by the DBE Appeal Committee.
 - a. A six-member DBE Appeal Committee shall be appointed by the Director of the Operations and Finance Division.
 - b. One member of the committee shall be from the Office of Employee Services and shall serve as chairperson. This member will be a non-voting member of the committee.
4. The chairperson of the committee shall notify the aggrieved firm of the date, time and place the committee will meet with the aggrieved firm to consider the appeal.
5. The DBE Certification Auditor from the Office of Employee Services may brief the committee prior to the meeting.
6. The committee shall meet to thoroughly discuss the reasons for denial of certification and to receive the aggrieved firm's rebuttal. A secretary from the Office of Employee Services shall attend to take notes and prepare a synopsis of the meeting.
7. As soon as possible after this meeting with the aggrieved firm, the committee shall come to an agreement and render a decision. Another meeting may be held with only committee members present to discuss the decision.
8. The chairperson of the committee shall notify the aggrieved firm of the committee's decision within 7 days after the meeting with the aggrieved firm. If the denial of certification is upheld, the notice shall include the steps for appeal to the FHWA.

Format for Annual Accomplishments Report

On an annual basis, the Title VI Update should contain the necessary information to evaluate the State's Title VI program as it pertains to accomplishments, shortfalls, and problem areas. The various program areas should cover at least the information listed below:

Policy Statement

If the Title VI Policy Statement was updated during the reporting period, provide a copy of the new or revised policy statement. Explain how it was disseminated throughout the State.

Organization, Staffing, Structures

Update as necessary any changes to the organization regarding personnel, or staffing of those officials responsible for Title VI within each program area or office. An organizational chart should be provided in each Update Report.

Title VI Monitoring and Review Process

Provide a summary of Title VI reviews conducted, including findings, recommendations, action items, and status thereof.

Complaints

Provide a summary of each complaint filed. Include the basis, status, and actions proposed and/or taken by the State.

ACCOMPLISHMENT REPORT FOR EACH PROGRAM AREA

At the minimum, the following should be included in the annual Title VI update for each of the various program areas:

Planning

- How many consultant projects for planning were awarded during the reporting period? What is the dollar value?
- What efforts were made to utilize minority and female consultants and subcontractors?
- Were there any studies conducted which provided data relative to minority persons, neighborhoods, income levels, physical environment, and travel habits? If so, what type of assistance was provided by those individuals responsible for Title VI to ensure that Title VI considerations were included in the studies?

- Number of hearings held during the reporting period. What efforts were utilized to ensure citizen participation in the hearings, particularly minorities and women? Were minorities and women, both individually and through their organizations, represented in the citizen participation effort? How many, and in what capacity?

Project Selection

- Were any consultant contracts awarded during the last year and what efforts were made to utilize minority-owned and women-owned firms?
- How Title VI considerations are addressed through stakeholder involvement mechanisms?
- Describe how minorities and low-income populations were provided opportunities to be involved in project selection processes.
- Describe what project selection decisions, if any, were affected by Title VI or Environmental Justice issues.
- How many public hearings, and in what locations, were held on adoption of the STIP or in making other project selection decisions?

Design

- How many consultant firms currently have design contracts? What is the dollar value? How many contracts are currently held by minority-owned and womenowned firms? What is the dollar value?
- What efforts were made to increase minority and female participation in obtaining consultant contracts? Is there currently a separate list maintained on minority and female consultants? How many firms are included on the list? How many are receiving contracts?
- Were any public hearings held during the design phase of any highway? Did minorities (individuals or organizations) participate in the hearings? If no, why not? Provide a summary of any concerns and issues raised. Describe actions taken by the Coordinator to facilitate and/or address the concerns raised.
- List the employees in the Design Program area by title, ethnicity, and gender. Where minority and female representation is low, what efforts were made to increase their representation?
- Were there any complaints filed in the Design Program area? If so, provide a summary with basis, status, plus actions proposed and taken.
- List any significant problem areas, accomplishments, and actions to take during the ensuing year.

nvironmental Services

- As a result of the choice of highway location or the procedure used for arriving at the choice, were any complaints filed? If so, how many? Summarize each complaint and explain status, with actions proposed and taken.
- Identify the titles, ethnicity and gender of employees working in the environmental program area. Were there any vacancies during the reporting period? What efforts were made by the Civil Rights Committee Liaison to increase the representation of minorities and women if they are underrepresented? What efforts were made to encourage adequate representation of minorities and women to serve as members of citizen advisory committees for a community project?
- During the reporting period, how many pre-draft Environmental Impact Statements (EISs) were reviewed? Summarize comments provided on EISs where minority or low-income populations, etc. were adversely impacted.
- How many consultants currently have contracts involving environmental studies? What is the dollar value? How many minority and women-owned firms currently have contracts involving environmental studies? What is the dollar value? Where minority and women participation on consultant contracts is low, describe efforts taken to increase their participation.
- How many public hearings were held during the reporting period concerning location of a project? How were the hearings advertised, and was it adequate to provide notification to minorities and low-income communities?
- How were minority and low-income community representatives identified and encouraged to become involved in the location and environmental phase?
- During the reporting period, was there a need to utilize bilingual advertisements, announcements, notices, LEP and/or sight/hearing assistance, etc.?

Right of Way

- During the reporting period, did the State receive any civil rights complaints in the following right-of-way functional areas? If so, how many?
 - a. Appraisals
 - b. Negotiations
 - c. Relocation Assistance and Payments
 - d. Property Management
- How many fee appraisers were utilized during the reporting period? How many are minority and female? If the representation of minority and female appraisers is low, what efforts were made by the Civil Rights Committee Liaison to increase their representation?

- How many negotiations were made during the reporting period? Does the negotiator's log reflect any disparity in the conduct of negotiations between minorities and non-minorities?
- Were there any concerns raised by minorities or women concerning their options in the negotiation phase? Explain.
- Number of relocations during the reporting period:
 - Minority relocations;
 - Female relocations;
 - Elderly relocations; ➤ Disabled relocations;
 - Low-income relocations.
- Were any concerns raised by minorities, women, elderly, disabled or low income on replacement housing, referral housing, etc.?

Research & Technology

- How many research projects are currently underway?
- List of universities and/or consultants currently conducting research projects.
- Summarize actions taken to encourage universities to utilize minority and female students to participate on highway research projects.
- Summarize actions taken to increase minority and women-owned consultant firms in obtaining research projects.
- List any significant actions planned for the ensuing year.

Contracts

- Has the office received any civil rights complaints involving competitive bidding procedures? What corrective action, if any, was needed/has the State taken?
- During the review period, were any procedures reviewed to assure subcontract agreements, first and second tier, and material supply and equipment lease agreements were contained in Title VI contract provisions?
- List any significant accomplishments and/or action items for the ensuing year.

Education and Training

- During the reporting period, what efforts were made to encourage participation by minorities and women in the National Highway Institute's (NHI) educational and training programs?
- List the types of NHI-sponsored or co-sponsored programs. How many State participants? How many minorities and women?

- Identify the agency's staff personnel responsible for training by job title, ethnicity and gender.
- Were there any civil rights complaints filed concerning training and educational opportunities? If so, what corrective actions has the State taken? Provide summary of concerns raised, complaints filed, status, etc.

Motor Carrier Safety Assistance Program (MCSAP)

- How many contracts and inter-agency agreements are currently in effect involving MCSAP funds?
- Describe the advertising and selection process for contracts with consultant or professional service firms. Were DBE firms encouraged to submit proposals? Were DBE goals assigned to contracts?
- What was the total dollar value of contract work last year? What amount went to DBE firms, either as primes or sub-contractors?
- What steps, if any, are planned for next year to increase DBE participation?
- Were any civil rights complaints (Title VI) received regarding the MCSAP?

Administration

- Provide a list of employees (Civil Rights Committee Liaisons) by ethnicity, gender, and title in each of the Iowa DOT's program offices assigned Title VI duties (Civil Rights Committee Description, Page 13).
- All Iowa DOT program offices shall provide a summary of all activities undertaken during the reporting period, to the Title VI Specialists, which provide for assurances of Title VI compliance both internally and externally. For example, are Title VI requirements included in all contracts and consultant agreements; were reviews made to ensure contractors and consultants are adhering to Title VI requirements?
- Was any Title VI training provided during the reporting period? If so, how many participants attended and what were their titles? Was any other kind of civil rights training conducted? If so, what type of training and what was the course content? Provide a list of participants by job title, i.e., supervisor, manager, etc.