

IOWA

**Commercial Vehicle Safety Plan
for the
Federal Motor Carrier Safety Administration's
Motor Carrier Safety Assistance Program
Fiscal Year 2017**

Date of Approval: Feb 07, 2017

Final CVSP

Basic and Incentive Program Overview

The Basic and Incentive Program Overview part allows the State to provide a brief description of the mission or goal statement of the MCSAP Lead Agency, a description of the State's MCSAP Basic/Incentive Program structure, and to indicate how it meets the MCSAP minimum requirements as prescribed in 49 CFR 350.213(b). The MCSAP grant program has been consolidated to include Basic/Incentive, New Entrant, and Border Enforcement. These three separate grant programs are now considered focus areas in the CVSP. Each focus area will be addressed individually within the eCVSP system and will be contained within a consolidated CVSP.

1 - Mission or Goal Statement of Lead State Commercial Motor Vehicle Safety Agency

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 a discussion of any safety activities conducted under any other FMCSA focus areas such as New Entrant and Border Enforcement or the High Priority grant program. There are separate sections within eCVSP where information on the New Entrant and Border Enforcement focus areas will be entered. High Priority grant opportunities will be applied for outside the eCVSP system.

The State of Iowa is committed to reducing the number of traffic crashes resulting in injury and loss of life with coordinated enforcement and educational 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 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 0.20 per one-hundred million VMT (recorded in 2015) to 0.15 or less by September 30, 2018.

Data Source: USDOT/FHWA, Highway Statistics

2 - Basic and Incentive Program Structure

Instructions:

Briefly describe the State's commercial motor vehicle (CMV) enforcement program funded with Basic/Incentive funding and/or used to substantiate the Lead Agency's Maintenance of Effort (MOE). Include a description of the program structure (state and local agency participation, including responsibilities, a general overview of the number of FTE supporting the program and in what areas they contribute, etc.).

NOTE: Please do not include activities/FTE primarily assigned to and funded under another focus area such as New Entrant and/or Border Enforcement or another FMCSA grant program such as High Priority. There are separate sections within eCVSP where information on the New Entrant and Border Enforcement (if applicable) focus areas will be entered. High Priority grant opportunities will be applied for outside the eCVSP system.

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.

MVE is comprised of 107 full-time positions (98 sworn and 9 civilian) of which 89 are MCSAP Certified and 8 officer positions are currently vacant. MVE anticipates hiring 8 officers during FFY 2017.

Administrative personnel located in the Ankeny Headquarters include the Chief, Assistant Chief, 2 Captains, 2 Lieutenants, CMV Information Line Officer, MCSAP Manager 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 66 Motor Vehicle Officers. Located strategically across the state are 4 Motor Carrier Investigators and 6 Hazardous Material Specialists.

Currently, 89 uniformed personnel (Captains, Sergeants, HM Specialists, Motor Carrier Investigators and Officers) are Level I certified. An additional 8 new uniformed officers will be Level 1 certified in FFY 2017. Two uniformed Lieutenants are only certified to do Level 3 inspections. There are currently 83 General Hazardous Material (GHM) officers certified (an additional 12 officers will be GHM certified during FFY 2017), 77 Cargo Tank certified officers (an additional 17 officers will be CT certified during FFY 2017), and 22 Passenger Vehicle certified officers.

MCSAP enforcement activities are performed in conjunction with size and weight enforcement activities at 12 fixed site facilities and while on random patrol in all geographic areas of the state. MVE strives to schedule 40 percent of the officers' available time to fixed site facilities. Motor Vehicle Enforcement Officers have completed 49,120 Level I through V inspections as of September 30, 2016.

IOWA STATE PATROL (SUBGRANTEE):

Iowa State Patrol Administrative staff offices are located in Des Moines, Iowa with MCSAP Troopers strategically located across the state. The Iowa State Patrol MCSAP Program consists of 1 Captain, 1 Lieutenant, 1 Sergeant, 10 full-time Troopers, 32 part-time Troopers, and 2 civilian support staff. Full-time Troopers are Level II certified, and part-time Troopers are Level III certified. As of September 30, 2016, Troopers with the Iowa State Patrol have completed 7,259 Level II through III inspections.

Enforcement emphasis is placed on the detection of drivers who violate out-of-service orders, identifying drivers involved in criminal activities, safety belt 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.

3 - Basic and Incentive Minimum Requirements - Driver Activities

Instructions:

Use the radio buttons in the table below to indicate the activities that the State will execute to meet the requirements of 49 CFR §350.213(b) in this Fiscal Year's CVSP. All statements must be answered using the radio buttons or the CVSP will be considered incomplete.

1. If a State marks any responses as "None, Not Planned", it must explain how it satisfies the minimum requirements in the narrative section below.
2. If the State marks any boxes as "Planned", it should provide further information in the narrative section below indicating the purpose of the proposed policy and when the State expects to fully implement it.
3. If the State marks all responses as "Existing", no further explanation is required.

Existing	Planned	None, Not Planned	Promote activities in support of the national program elements including the following:
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Activities aimed at removing impaired CMV drivers from the highways through adequate enforcement of restrictions on the use of alcohol and controlled substances and by ensuring ready roadside access to alcohol detection and measuring equipment.
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Provide basic training for roadside officers and inspectors to detect drivers impaired by alcohol or controlled substance.
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Breath testers are readily accessible to roadside officers and inspectors either at roadside or a fixed facility location.
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Criminal interdiction activities, in conjunction with an appropriate CMV inspection, including human trafficking and activities affecting the transportation of controlled substances by any occupant of a CMV, and training on appropriate strategies for carrying out those interdiction activities.
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Provide training for roadside officers and inspectors to detect indicators of controlled substance trafficking.
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Ensure drug interdiction officers are available as a resource if an officer/inspector suspects controlled substance trafficking.
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Engage in drug interdiction activities in conjunction with inspections including interdiction activities that affect the transportation of controlled substances.

Enter explanation of activities:

4 - Basic & Incentive Minimum Requirements - Federal Registration & Financial Responsibility Activities
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Instructions:

Use the radio buttons in the table below to indicate the activities that the State will execute to meet the requirements of 49 CFR §350.213(b) in the upcoming Fiscal Year. All statements must be answered using the radio buttons or the CVSP will be considered incomplete.

1. If a State marks any responses as "None, Not Planned", it must explain how it satisfies the minimum requirements in the narrative section below.
2. If the State marks any boxes as "Planned", it should provide further information in the narrative section below indicating the purpose of the proposed policy and when the State expects to fully implement it.
3. If the State marks all responses as "Existing", no further explanation is required.

Existing	Planned	None, Not Planned	Federal Registration and Financial Responsibility activities including:
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Activities to enforce federal registration (such as operating authority) requirements under 49 U.S.C. 13902, 49 CFR Part 365, 49 CFR Part 368, and 49 CFR 392.9a by prohibiting the operation of (i.e., placing out of service) any vehicle discovered to be operating without the required operating authority or beyond the scope of the motor carrier's operating authority.
<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	Activities to cooperate in the enforcement of financial responsibility requirements under 49 U.S.C. 13906, 31138, 31139, and 49 CFR Part 387 (if adopted by a State).

Enter explanation of activities:

Basic and Incentive Program Effectiveness Summary - Past Performance

The Program Effectiveness Summary - Past Performance part provides a 5 year trend analysis based upon national performance objectives found in 49 CFR Part 350. For each section, insert information in the tables to describe goals and objectives from previous CVSPs along with actual outcomes.

1 - State Fatality Reduction Trend Analysis: 2011 - 2015

Instructions:

Complete the table below to document the State's safety performance goals and outcomes over the past five measurement periods. Include the beginning and ending date of the state's measurement period, the goals, and the outcome. Please indicate the specific goal measurement used including source and capture date, e.g., large truck fatal crashes per 100 million vehicle miles traveled (VMT). All columns must be completed.

- 1. Insert the beginning and end dates of the measurement period used, (e.g., calendar year, Federal fiscal year, State fiscal year or any consistent 12 month period for which data is available).*
- 2. FMCSA views the total number of fatalities as a key national measurement. Insert the total number of fatalities during the measurement period.*
- 3. Insert a description of the state goal as expressed in the CVSP (e.g., rate: large truck fatal crashes per 100M VMT, actual number of fatal crashes, actual number of fatalities, or other). If you select 'Other' as the goal measurement, explain the measure used in the narrative box below.*
- 4. Insert the actual outcome as it relates to the goal as expressed by the state. States may continue to express the goal as they have in the past five years and are not required to change to a different measurement type.*
- 5. If challenges were experienced while working toward the goals, please provide a brief narrative including details of how the State adjusted the program and if the modifications were successful.*

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

State Defined Measurement Period (Include 5 Periods)		Fatalities	Goal As Expressed In CVSP (State Defined Measurement)	Outcome (As It Relates To The Goal Column)
Begin Date	End Date	Number of Lives		Indicate Actual Outcome
01/01/2015	12/31/2015	66	0.14	0.20
01/01/2014	12/31/2014	55	0.21	0.17
01/01/2013	12/31/2013	67	0.14	0.21
01/01/2012	12/31/2012	65	0.16	0.21
01/01/2011	12/31/2011	63	0.16	0.20

Enter the source and capture date of the data listed in the table above:

Data Source: MCMIS Summary Statistics for Large Trucks, data snapshot 06/19/2015 (Years 2011-2014) and 06/24/2016 (Year 2015) Annual Vehicle Miles Traveled - Iowa DOT's Office of Systems Planning - 06/2011-06/2015.

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

NOTE: VMT calculation for years 2011-2015 were based on all vehicles per 100 million vehicles miles traveled. Fatalities were based on Large Trucks.

2 - State Motorcoach/Passenger Fatality Reduction Trend Analysis: 2011 - 2015

Instructions:

Complete the table below to document the State's safety performance goals and outcomes over the past five measurement periods. Include the beginning and ending date of the state's measurement period, the goals, and the outcome. Please indicate the specific basis of the goal calculation (including source and capture date), e.g., large truck fatal crashes per 100 million vehicle miles traveled (VMT). All columns must be filled in with data.

1. Insert the beginning and end dates of the measurement period used, (e.g., calendar year, Federal fiscal year, State fiscal year or any consistent 12 month period for which data is available).
2. FMCSA views the total number of fatalities as a key national measurement. Insert the total number of fatalities during the measurement period.
3. Insert a description of the state goal as expressed in the CVSP (e.g., rate: large truck fatal crashes per 100M VMT, actual number of fatal crashes, actual number of fatalities, or other). If a State did not establish a goal in their CVSP for a particular measurement period, do not enter a value in the Goal column for that period.
4. Insert the actual outcome as it relates to the goal as expressed by the state. States may continue to express the goal as they have in the past five years and are not required to change to a different measurement type.
5. If you select 'Other' or 'N/A' as the goal measurement, explain the measure used in the narrative box below.

Goal measurement as defined by your State: Other

State Defined Measurement Period (Include 5 Periods)		Fatalities	Goal As Expressed In CVSP (State Defined Measurement)	Outcome (As It Relates To The Goal Column)
Begin Date	End Date	Number of Lives		Indicate Actual Outcome
01/01/2015	12/31/2015	1		0.0030
01/01/2014	12/31/2014	1		0.0030
01/01/2013	12/31/2013	6		0.0190
01/01/2012	12/31/2012	2		0.0060
01/01/2011	12/31/2011	4		0.0130

Enter the source and capture date of the data listed in the table above:

Data Source: MCMIS Summary Statistics for Buses, data snapshot 06/19/2015 (Years 2011-2014) and 06/24/2016 (Year 2015). Annual Vehicle Miles Traveled - Iowa DOT's Office of Systems Planning (Years 2011-2015).

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

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.

NOTE: VMT calculation for years 2011-2015 were based on all vehicles per 100 million vehicle miles traveled. Fatalities were based on Buses.

3 - State Hazardous Materials Fatality Reduction Trend Analysis: 2011 - 2015

Instructions:

Complete the table below to document the State's safety performance goals and outcomes over the past five measurement periods. Include the beginning and ending date of the state's measurement period, the goals, and the outcome. Please indicate the specific basis of the goal calculation (including source and capture date), e.g., large truck fatal crashes per 100 million vehicle miles traveled (VMT). All columns must be filled in with data.

1. Insert the beginning and end dates of the measurement period used, (e.g., calendar year, Federal fiscal year, State fiscal year or any consistent 12 month period for which data is available).
2. FMCSA views the total number of fatalities as a key national measurement. Insert the total number of fatalities during the measurement period.
3. Insert a description of the state goal as expressed in the CVSP (e.g., rate: large truck fatal crashes per 100M VMT, actual number of fatal crashes, actual number of fatalities, or other). If a State did not establish a goal in their CVSP for a particular measurement period, do not enter a value in the Goal column for that period.
4. Insert the actual outcome as it relates to the goal as expressed by the state. States may continue to express the goal as they have in the past five years and are not required to change to a different measurement type.
5. If you select 'Other' or 'N/A' as the goal measurement, explain the measure used in the narrative box below.

Goal measurement as defined by your State: Other

State Defined Measurement Period (Include 5 Periods)		Fatalities	Goal As Expressed In CVSP (State Defined Measurement)	Outcome (As It Relates To The Goal Column)
Begin Date	End Date	Number of Lives		Indicate Actual Outcome
01/01/2015	12/31/2015	1		0.0030
01/01/2014	12/31/2014	1		0.0030
01/01/2013	12/31/2013	3		0.0095
01/01/2012	12/31/2012	1		0.0030
01/01/2011	12/31/2011	0		0

Enter the source and capture date of the data listed in the table above:

MCMIS HM Statistics for Large Trucks, data source 06/19/2015 (Years 2011-2014) and 06/24/2016 (Year 2015) SAFETYNET - HazMat Fataals (2015) Annual Vehicle Miles Traveled - Iowa DOT's Office of Systems Planning (Years 2011-2015)

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

MVE did not establish a HM fatality goal.

Measurements for hazardous materials fatality rates per 100M VMT include regulated and non-regulated carriers.

4 - Traffic Enforcement Trend Analysis: 2011 - 2015**Instructions:**

Please refer to the MCSAP Comprehensive Policy for an explanation of FMCSA's traffic enforcement guidance. Complete the table 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 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 of the measured element (traffic enforcement stops with an inspection, non-inspection stops, non-CMV stops).
3. Insert the total number of written warnings and citations during the measurement period. The number of warnings and citations do not need to be split out separately in the last column.

State Defined Measurement Period (Include 5 Periods)		Number Of CMV Traffic Enforcement Stops with an Inspection	Number of Citations and Warnings Issued
Begin Date	End Date		
10/01/2014	09/30/2015	11263	11837
10/01/2013	09/30/2014	9099	9593
10/01/2012	09/30/2013	9748	10291
10/01/2011	09/30/2012	10771	11413
10/01/2010	09/30/2011	10176	10785

☐ Check if State does not conduct CMV traffic enforcement stops without an inspection.

State Defined Measurement Period (Include 5 Periods)		Number Of CMV Traffic Enforcement Stops without Inspection	Number of Citations and Warnings Issued
Begin Date	End Date		
01/01/2015	12/31/2015		
01/01/2014	12/31/2014		
01/01/2013	12/31/2013		
01/01/2012	12/31/2012		
01/01/2011	12/31/2011		

☐ Check if State does not conduct Non-CMV traffic enforcement stops.

State Defined Measurement Period (Include 5 Periods)		Number Of Non-CMV Traffic Enforcement Stops	Number of Citations and Warnings Issued
Begin Date	End Date		
10/01/2014	09/30/2015	4803	
10/01/2013	09/30/2014	2873	
10/01/2012	09/30/2013	3182	
10/01/2011	09/30/2012	1219	
10/01/2010	09/30/2011	360	

Enter the source and capture date of the data listed in the table above:

Data Source: MCMIS- State Data Summary 06/19/2015 (Year 2011), Iowa Traffic Enforcement Activity Summary (Years 2012-2015) MVE Officer Weekly Database - Years 2011-2015. Number of Citations/Warnings were unable to be captured through FFY 2016 due to IT

programming issues and has been corrected for FFY 2017. Iowa DOT will report all requested TE elements to FMCSA on a quarterly basis beginning in FFY 2017.

5 - Outreach and Education Goals - Report on progress from the FY 2016 CVSP**Instructions:**

Please enter information to describe your year-to-date Outreach and Education activities from the FY2016 CVSP. Click on "Add New Activity" to enter information.

Activity #1**Activity: Describe Outreach and Education activity conducted:**

Motor Vehicle Enforcement dedicated one Training Captain position to develop and conduct motor carrier industry training seminars with the assistance of five part-time Officers. Educational seminars offered to motor carriers included compliance related topics (i.e., hours-of-service, vehicle inspection, cargo securement and hazardous materials). Programs offered to the general public focused on sharing the road safely with commercial motor vehicles (CMVs). Law enforcement training focused on traffic enforcement issues relating to CMV drivers and vehicles operating in the vicinity of CMVs.

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

To conduct 140 Safety Educational Seminars and 25 HazMat Educational Seminars to motor carriers and the general public.

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

As of the fourth quarter of FFY 2016, 514 MCSAP hours were utilized in conducting 182 Safety Educational Seminars to 6,842 motor carriers and the general public. Listed below are the training categories and number of presentations conducted: 1. Agriculture (13) 2. HazMat (38) 3. Passenger (3) 4. General (128)

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

Goals were achieved by 09/30/2016.

6 - State Specific Objectives – Report on Progress from the FY2016 CVSP

Instructions:

Please enter information as necessary to describe year-to-date progress on your State-specific objectives from the FY2016 CVSP. Click on "Add New Activity" to enter information.

Activity #1

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

Increase safety belt usage by CMV drivers to 90 percent by covertly observing compliance and conducting high visibility enforcement projects. Pre and Post check surveys will be conducted for approximately three hours in length. Field captains will determine the location for the surveys in their respective areas. Officers will monitor CMV traffic and record the total number of CMV's observed and the number of CMV drivers in compliance with safety belt usage. Officers will utilize vehicles and attire not recognizable as enforcement related in an effort to gain an accurate measure of compliance.

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

A minimum of six projects will be conducted annually, with at least one project in each of the six Field Captain's enforcement districts. A single project consists of a pre-event survey, an enforcement event, and a post-enforcement survey with an overall goal to reach 90 percent seatbelt rate.

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

As of the fourth quarter of FFY 2016, six seatbelt projects were performed within the five enforcement districts (due to staff reduction, went from six districts to five districts) with an observed 82 percent seatbelt usage rate.

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

While Iowa MVE has completed six planned projects, they were not completed in a manner that was spread out evenly throughout the year due to staff reduction. It is believed that conducting these activities spread evenly and continuously throughout the year may result in an higher observed CMV seatbelt rate.

Activity #2

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

Reduce the number of non-bulk HM load securement violations by 5 percent by conducting special HM enforcement projects and HM educational seminars.

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

Iowa had a goal to conduct 4,200 Level I and II CMV HM inspections, in part, by conducting 30 special HM checks throughout FFY 2016. In addition, Iowa had a goal to conduct 25 HM seminars in FFY 2016. Through these activities, Iowa hoped to observe no more than 292 OOS non-bulk HM cargo securement violations in FFY 2016.

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

As of 6/30/2016, Iowa has conducted 3,314 HM Level I and II inspections, 12 HM safety special checks, and 29 HM educational seminars. These activities has led to discovery of 249 OOS violations for non-securement of non-bulk HM. Data Source: MCMIS - Iowa Roadside Inspections, HM Violations (data snapshot 6/24/2016)

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

Iowa is on track to meet the goal for FFY 2016.

Basic & Incentive CMV Safety Objectives

The CMV Safety Program Objectives part allows States to define their goals and objectives for this year's plan, address the national priorities contained in the Notice of Funding Availability (NOFA), and to identify any State-specific objectives for any safety or performance problems identified by the State. The State must address problems it believes will help reduce the overall number of CMV crash related fatalities and injuries.

1 - Crash Reduction Goal

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 vehicle transportation. The State has flexibility in setting its goal. It can be based on raw numbers (e.g., total number of fatalities or crashes) or based on a rate (e.g., fatalities per 100 million VMT).

Problem Statement Narrative: Describe the identified problem including baseline data:

Based on calendar year (CY) 2016 fatality crash reports submitted to FARS, there have been 2,696 crashes involving commercial motor vehicles statewide.

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 target areas will be based on the top six geographic areas that this data points to. Historically, there's an indication that these areas may include the following counties: Benton, Cass, Cedar, Cerro Gordo, Warren and 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.

Enter Data Source Capture Date:

06/24/2016

Enter Data Source:

Data Source: MCMIS Summary Statistics for Large Trucks and Buses and SAFETYNET

Enter Crash Reduction Goal

The state will conduct 24 high crash corridor checks targeting those six 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 0.20 per 100M VMT (recorded in 2015) to 0.15 per 100M VMT or less by September 30, 2018.

Identify each of the national program elements the State will utilize to meet the performance objective. The State will describe these activities in greater detail in the respective narrative sections of the CMV Safety Program Objectives and Commercial Vehicle Enforcement Activities.

Check all program elements that apply (minimum of 1):

- ☒ Conduct Driver and Vehicle Inspections (complete activity projections in the Commercial Vehicle Enforcement Activities section 1)
- ☒ Conduct Traffic Enforcement Activities (complete activity projections in the Commercial Vehicle Enforcement Activities section 2)
- ☐ Conduct Carrier Investigations (complete activity projections in the Commercial Vehicle Enforcement Activities section 3)
- ☒ Conduct Public Education and Awareness (complete activities in the Commercial Vehicle Enforcement Activities section 4)
- ☐ Conduct Effective Data Collection and Reporting (complete activities in the CMV Safety Program Objectives section 2)

Program Activities: States must include activities related to this goal in the output estimates in the Commercial Vehicle Enforcement Activities part. However, States must also indicate in this objective the amount of effort (staff hours, FTE, inspections, traffic enforcement stops, etc.) that will be resourced directly for this purpose. For example, 3,000 of the 10,000 Level 1 inspections listed in the Commercial Vehicle Enforcement Activities Section 1 will be dedicated to this objective.

The State will conduct 24 high crash corridor Driver/Vehicle Inspection projects and Traffic Enforcement activities within the six 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 ten hours in duration, and will be staffed by at least three MCSAP certified officers. A minimum of 720 officer hours will be dedicated to this project with 1,000 of the 25,050 Level III inspections and 1,000 traffic enforcement stops being dedicated to this objective.

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

Calendar year 2017 fatality crash reports for each of the identified six 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 deaths 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 six 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 six targeted counties to the statewide total numbers, and the resulting percentage of year-to-date change.

2 - State Safety Data Quality and Information Systems Objective

Instructions:

In the tables below, indicate your State's rating or compliance level within each of the Safety Data and Information Systems categories.

Under certain conditions, the FAST Act allows MCSAP lead agencies to use MCSAP funds for Operations and Maintenance (O & M) costs associated with Safety Data Systems (SSDQ), Innovative Technology Deployment (ITD, previously known as CVISN) and the Performance and Registration Information Systems Management (PRISM).

1. For SSDQ, if the State meets accuracy, completeness and timeliness measures regarding motor carrier safety data and participates in the national data correction system (DataQs).
2. For PRISM, O&M costs are eligible expenses subject to FMCSA approval.
3. For ITD, if the State agrees to comply with ITD program requirements and has complied with all MCSAP program requirements including achievement of at least Level 6 in PRISM, O & M costs are eligible expenses.

Instructions will be provided within the Spending Plan Narrative section regarding documentation of these costs within the CVSP.

State Safety Data Quality: Indicate your State's SSDQ rating and goal in the table below by utilizing the drop-down menus.

SSDQ Category	Goal from FY 2016 CVSP	Current SSDQ Rating	Goal for FY 2017
Crash Record Completeness	Good	Good	Good
Fatal Crash Completeness	Good	Good	Good
Crash Timeliness	Good	Good	Good
Crash Accuracy	Good	Good	Good
Crash Consistency	No Flag	No Flag	No Flag
Inspection Record Completeness	Good	Good	Good
Inspection VIN Accuracy	Good	Good	Good
Inspection Timeliness	Good	Good	Good
Inspection Accuracy	Good	Good	Good

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

Data Source: MCMIS Iowa State Data Summary - data snapshot as of 06/24/2016

Compliance table: Please verify the level of compliance for your State in the table below using the drop-down menu. If the State plans to include O&M costs, details must be in this section and in your Spending Plan. If 'no' is indicated in the verification column, please provide an explanation in the narrative box below.

Technology Program	Current Compliance Level according to FMCSA	Verification by State of Current Compliance Level
ITD	Core CVISN Compliant	Yes
PRISM	step 8	Yes
SSDQ	Good	Yes

Data Sources:

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

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. If your State's PRISM compliance is less than step 6, describe activities your State plans to implement to achieve full PRISM compliance.

Program Activities: Describe any actions that will be taken to achieve a "Good" rating in any category not currently rated as "Good" including measureable milestones. Also, describe any actions that will be taken to implement full PRISM compliance.

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.

3 - Passenger Carrier Enforcement

Instructions:

We request that States conduct Enhanced Investigations for motor carriers of passengers and other high risk carriers. We also ask that States plan to allocate resources to participate in the Enhanced Investigations training being offered by FMCSA. Finally, we ask that States continue to partner with FMCSA in conducting Enhanced Investigations and inspections at carrier locations.

Check this box if:

As evidenced by the trend analysis data in Program Effectiveness Summary - Past Performance, State Motorcoach/Passenger Fatality Reduction Goals, the State has not identified a significant passenger transportation safety problem and therefore will not establish a specific passenger transportation goal in the current fiscal year. However, the State will continue to enforce the FMCSRs pertaining to passenger transportation by CMVs in a manner consistent with the MCSAP Comprehensive Policy as described either below or in the Commercial Vehicle Enforcement Activities part. If this box is checked, no additional narrative is necessary.

4 - Enforcement of Federal Out-of-Service Orders during Roadside Activities

Instructions:

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

Check this box if:

☐ As evidenced by the data provided by FMCSA, the State identifies at least 85% of carriers operating under a federal Out-of-Service (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. If this box is checked, no additional narrative is necessary..

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

33

Performance Objective: Enter performance objective(s).

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

To meet this goal, the State intends to conduct activities under the following strategies and will describe these activities in greater detail in the respective sections in the CMV Safety Program Objectives and Commercial Vehicle Enforcement Activities parts.

Check all program elements that apply (minimum of 1):

☒ **Conduct Driver and Vehicle Inspections (complete activity projections in the Commercial Vehicle Enforcement Activities section 1)**

☒ **Conduct Traffic Enforcement Activities (complete activity projections in the Commercial Vehicle Enforcement Activities section 2)**

☐ **Conduct Carrier Investigations [CSA] (complete activity projections in the Commercial Vehicle Enforcement Activities section 3)**

☐ **Conduct Effective Data Collection and Reporting (complete activities in the CMV Safety Program Objectives section 2)**

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

Motor Vehicle Enforcement has noticed the upward trending statistic of 80% catch rate for the period beginning February through June of 2016 and is committed to realizing a 100% catch rate. Motor Vehicle Enforcement will continue to provide recurrent quarterly training to all officers. MVE will require all officers to perform PRISM and/or Query Central checks of all carriers inspected to ensure the OOS carriers are not missed during roadside inspections. MVE will notify FMCSA if there are any issues in identifying OOS carriers during PRISM and/or Query Central checks.

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.

Captain responsible for providing training to all officers will schedule quarterly training inclusive of identifying and recording OOS carrier violations. Additionally, IT infrastructure changes have been put in place so that PRISM checks are automatically conducted upon all carriers ran through the State's MACH system.

MVE will examine the OOS catch rate report from FMCSA and identify the cause of any missed OOS carriers on a monthly basis. MVE will pursue remedial action with any officer that misses an OOS carrier roadside in an effort to eliminate future misses.

5 - Hazardous Materials Transportation Safety

Instructions:

Describe the state's efforts to address hazardous materials transportation safety, if applicable. Select the box below indicating that data does not indicate a hazardous materials problem OR complete the problem statement, performance objective, Activity Plan and Performance Measure.

Check this box if:

☒ As evidenced by the trend analysis data indicated in the Program Effectiveness Summary - Past Performance section 3, State Hazardous Materials Fatality Reduction Goals, the State has not identified a significant hazardous materials safety problem that warrants a specific state objective. As a result, the State will not establish a specific hazardous materials crash reduction goal. However, the State will continue to enforce the FMCSRs pertaining to hazardous materials transportation by CMVs in a manner consistent with its enforcement for all CMVs. If this box is checked, no additional narrative is necessary.

6 - State-Identified Objective (Optional)

Instructions:

Describe any other identified State-specific objectives.

State Objective #1

Enter the title of your State-Identified Objective.

CMV Safety Improvement

Problem Statement Narrative: Describe problem identified by performance data.

Iowa recognizes that there is a direct correlation between the number of CMV drivers utilizing seatbelts and CMV-related injury and fatality rates resulting from crashes. Iowa has had a standing goal to realize a 90 percent CMV driver seatbelt usage rate, however, has only realized an 81 percent usage rate to date.

Performance Objective: Enter performance objectives including baseline data and goal.

Iowa has a goal to realize 90 percent seatbelt rate by CMV drivers by the end of FFY 2018.

To meet this goal, the State intends to conduct activities under the following strategies and will describe these activities in greater detail in the respective sections in the CMV Safety Program Objective and Commercial Vehicle Enforcement Activities parts.

Check all program elements that apply (minimum of 1):

- ☒ **Conduct Driver and Vehicle Inspections (complete activity projections in the Commercial Vehicle Enforcement Activities section 1)**
- ☒ **Conduct Traffic Enforcement Activities (complete activity projections in the Commercial Vehicle Enforcement Activities section 2)**
- ☐ **Conduct Carrier Investigations [CSA] (complete activity projections in the Commercial Vehicle Enforcement Activities section 3)**
- ☒ **Conduct Public Education and Awareness (complete activities in the Commercial Vehicle Enforcement Activities section 4)**
- ☐ **Conduct Effective Data Collection and Reporting (complete activities in the CMV Safety Program Objectives section 2)**

Program Activities: Describe the activities that will be implemented including level of effort, if not described in Enforcement of Federal Out-of-Service Orders during Roadside Activities (Section 4).

Pre and Post check surveys will be conducted for approximately three hours in length. Field Captains will determine the location for the surveys in their respective areas. Officers will monitor CMV traffic and record the total number of CMV's observed and the number of CMV drivers in compliance with safety belt usage. Officers will utilize vehicles and attire not recognizable as enforcement related in an effort to gain an accurate measure of compliance.

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.

A minimum of five projects will be conducted annually, with at least one project in each of the five Field Captain's enforcement districts. A single project consists of a pre-event survey, an enforcement event, and a post-enforcement survey. Activity reports for the projects will record the number of commercial motor vehicles observed in the pre and post surveys and the enforcement phase, the time of day, location, and the number of safety belt violations discovered during the enforcement phase. The report will provide a summary of any change in compliance rates noted for that location. Field Captains will submit individual project results to the Assistant Chief one week after post-enforcement survey. Upon review, Assistant Chief will forward results to the MCSAP Manager for inclusion in the quarterly report to FMCSA. Effectiveness of the overall project and the impact on CMV driver safety belt compliance will be evaluated on a quarterly basis. Overall project performance will be evaluated annually with a comparison of actual activities compared to number projected.

Basic & Incentive Enforcement Activities

The Commercial Vehicle Enforcement Activities part allows the States to provide specific targets for their inspection, traffic enforcement, carrier investigation, and outreach and education goals. The State will use this section to describe the specific national program element activities (per 49 CFR 350.109) that it will use to meet the goals. In completing this section, the State need not repeat the broad program objectives or performance measurements established in the previous goals section of the plan.

*Note: The State can access detailed counts of its core MCSAP performance measures, such as roadside inspections, traffic enforcement activity, review activity, and data quality by quarter for the current and past two fiscal years using the **State Quarterly Report and CVSP Data Dashboard** on the A&I Online website. The Data 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/StatePrograms/Home.aspx> (user id and password required).*

1 - Driver/Vehicle Inspection Program - Overview and Performance Goals

Instructions for Overview:

Describe components of the State's general Roadside and Fixed-Facility Inspection Program that are not already detailed as part of a specific program goal. 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 narrative description 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, Office of Motor Vehicle Enforcement (MVE), is the primary agency responsible for vehicle size and weight enforcement on Iowa's highways. MVE has jurisdiction and provides enforcement on all Iowa roadways, including interstate, primary, secondary, 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 107 full-time positions (98 sworn and 9 civilian) of which 89 are MCSAP Certified and 8 officer positions are currently vacant. MVE anticipates hiring 8 officers during FFY 2017.

Iowa has 12 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.

Every quarter MVE will hold planning and program effectiveness meeting with MVE staff, ISP staff and FMCSA Division staff.

Instructions for Performance Goals:

*Please complete the following tables indicating the number of inspections that the State anticipates conducting during Fiscal year 2017. Please enter inspection goals by agency type (separate tabs are used for the Lead Agency and Funded agencies). **You are required to complete/review information on the first 3 tabs (as applicable). The "Summary" tab is totaled by the eCVSP system.***

Note: States are strongly encouraged to conduct at least 33% Level 3 inspections of the total inspections conducted. If the State chooses to do less than 33% Level 3 inspections, it will be required to provide an explanation in the Summary tab.

Lead Agency

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

Enter the total number of certified officers in the Lead agency: 98

FY 2017 Driver/Vehicle Inspection Goals					
	Estimated Performance Goal				
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1	7000	1700	150	8850	20.86%
Level 2	13600	2500	150	16250	38.31%
Level 3	17200	0	50	17250	40.66%
Level 4	0	0	0	0	0.00%
Level 5	0	0	70	70	0.17%
Level 6	0	0	0	0	0.00%
Sub-Total Lead Agency	37800	4200	420	42420	

Funded Agencies

Complete the following information for each MCSAP Basic funded agency, other than the lead agency in your State. A separate table must be created for each funded agency. Click 'Save' after each table entry.

IOWA DEPARTMENT OF PUBLIC

Enter the name of the Funded Agency: SAFETY - IOWA STATE PATROL

Enter the total number of certified officers in this funded agency: 45

FY 2017 Driver/Vehicle Inspection Goals					
Inspection Level	Estimated Performance Goal				Percentage by Level
	Non-Hazmat	Hazmat	Passenger	Total	
Level 1				0	0.00%
Level 2	400			400	4.88%
Level 3	7800			7800	95.12%
Level 4				0	0.00%
Level 5				0	0.00%
Level 6				0	0.00%
Sub-Total Funded Agencies	8200	0	0	8200	

Non-Funded Agencies

Enter the number of non-funded agencies:	
Enter the total number of non-funded certified officers:	

Summary

Total FY 2017 Driver/Vehicle Inspection Goals For Lead, Funded and Non-Funded Agencies					
MCSAP Lead Agency: IOWA DEPARTMENT OF TRANSPORTATION - MOTOR VEHICLE ENFORCEMENT					
# certified officers: 98					
Funded Agencies: IOWA DEPARTMENT OF PUBLIC SAFETY - IOWA STATE PATROL					
# certified officers: 45					
Number of Non-Funded Agencies:					
# certified officers:					
	Estimated Performance Goal				
Inspection Level	Non-Hazmat	Hazmat	Passenger	Total	Percentage by Level
Level 1	7000	1700	150	8850	17.48%
Level 2	14000	2500	150	16650	32.89%
Level 3	25000	0	50	25050	49.49%
Level 4	0	0	0	0	0.00%
Level 5	0	0	70	70	0.14%
Level 6	0	0	0	0	0.00%
Total ALL Agencies	46000	4200	420	50620	

2 - Traffic Enforcement

Instructions:

Describe the State's level of effort (number of personnel/FTE) it proposes to use for implementation of 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 (i.e., 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 conduct commercial vehicle/driver enforcement activities. If the State conducts non-CMV traffic enforcement activities, the State will 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 (Sub-Grantee) 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, officers 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, 16,250 Level II, 17,250 Level III, and 70 Level V inspections during day-to-day activities and focused enforcement projects. MVE will conduct twenty-four traffic enforcement projects in the identified high crash rate areas, and will include the six 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 720 hours will be dedicated to the high crash corridor traffic enforcement projects. The number of projects and resulting performance will be tracked with internal reports.

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 six 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 officers hours will be dedicated to these six ISP projects. The number of activities and projects will be tracked with internal reports. ISP will conduct two work zone projects. The work zone projects will be conducted during two workdays, will be at least eight hours in duration each day, and will be staffed by MCSAP certified officers. Projects will be conducted in highway work zone corridors identified in the counties with high CMV-related crashes. A minimum of 168 officer hours will be dedicated to the work zone projects.

ISP will provide an increased effort by working a minimum 224 extra shifts focusing on CMV traffic enforcement. ISP will dedicate 42 officers to conduct 45 hours each of overtime towards these extra shifts for a total of 1,890 hours. All stops will result in a CMV inspection with the goal of completing a total of 1,120 CMV inspections with this extra effort.

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 will be fulfilled and transmitted to FMCSA in quarterly PPRs beginning in FFY 2017.

Please indicate using the radio buttons the Traffic Enforcement Activities the State intends to conduct in FY 2017 in the table below.

Yes	No	Traffic Enforcement Activities	Enter the Goals (Number of Stops, not Tickets or Warnings; these goals are NOT intended to set a quota.)
<input checked="" type="radio"/>	<input type="radio"/>	CMV with Inspection	10000
<input checked="" type="radio"/>	<input type="radio"/>	CMV without Inspection	1000
<input type="radio"/>	<input checked="" type="radio"/>	Non-CMV	0
<input checked="" type="radio"/>	<input type="radio"/>	Comprehensive and high visibility in high risk locations and corridors (special enforcement details)	1000

Describe components of the State's traffic enforcement efforts that are not already detailed as part of a

specific program goal including a description of how the State will monitor its traffic enforcement efforts to ensure effectiveness, consistency, and correlation to FMCSA's national traffic enforcement priority.

Level III Special Checks: MVE Officers will conduct a minimum of 40 Level III checks in FFY 2017. 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 1,200 officer hours will be dedicated to Level III projects. Community-Based Checks: MVE will conduct a minimum of 42 Community-Based checks in FFY 2017. A Community-Based inspection project will focus on Level I inspections in an area not typically receiving Level I activity, such as a community in a rural area. 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 Community-Based Level I inspection project. The MCSAP Manager will monitor and report on a quarterly basis the actual number of Level III and Community-Based checks, number of inspections and officer hours.

3 - Carrier Investigations**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 and FTE assigned to this effort.

Performance Objective: Enter performance objective(s) including the number of Interventions/Investigations from the previous year and the goal for FY 2017

Iowa does not have a Compliance Review Program.

Program Activities: Describe components of the State's carrier investigation efforts that are not already detailed as part of a specific program goal. Include the number of personnel/FTE participating in this activity.

Performance Measurements and Monitoring: Describe all measures the State will use to monitor progress towards the annual goals. Further, describe how the State measures qualitative components of its carrier investigation program (not just outputs).

Note: The Carrier Investigation Goals table is designed to collect State projections for the number of investigation activities estimated for FY 2017. The State may still conduct traditional motor carrier safety compliance reviews of intrastate motor carriers. Therefore, the CVSP may contain projections for both CSA investigations and compliance reviews of intrastate carriers.

Complete the table below indicating the number of investigations that the State anticipates conducting during this Fiscal Year. Note: if your State does not conduct reviews/investigations, you are not required to complete this table.



Our State does not conduct reviews/investigations.

FY 2017 Carrier Investigation Goals		
Review/Investigation Type	Interstate Goals	Intrastate Goals
Rated and Non-rated Reviews (Excludes CSA & SCRs)		
Non-HM Cargo		
Passenger		
HM		
Rated and Non-rated Reviews (Excludes CSA & SCRs) Total	0	0
CSA Off-Site Investigations		
Non-HM Cargo CSA Off-Site		
Passenger CSA Off-Site		
HM CSA Off-Site		
CSA Off-Site Investigations Sub-total	0	0
CSA On-Site Focused Investigations		
Non-HM Cargo CSA On-Site Focused		
Passenger CSA On-Site Focused		
HM CSA On-Site Focused		
CSA On-Site Focused Investigations Sub-total	0	0
CSA On-Site Comprehensive		
Non-HM Cargo CSA On-Site Comprehensive		
Passenger CSA On-Site Comprehensive		
HM CSA On-Site Comprehensive		
CSA On-Site Comprehensive Sub-total	0	0
CSA Investigations (all Types) Total	0	0
HM-Related Review Types		
Security Contact Reviews (SCRs)		
Cargo Tank Facility Reviews		
Shipper Reviews		
HM-Related Review Types Total	0	0
ALL REVIEW TYPES GRAND TOTAL	0	0

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

4 - Public Education & Awareness

Instructions:

A public education and awareness program is designed to provide information on a variety of traffic safety issues related to CMVs and non-CMV's which operate around large trucks and buses. 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 FTE that will be participating in this effort.

Note: the number of specific activities accomplished should be reported in each quarterly performance progress report (SF-PPR).

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.:

With Iowa adopting the "Toward Zero Deaths" 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.

Performance Objective 1: Conduct 15 Agriculture Outreach Programs reaching at least 600 farmers, ranchers and other agribusiness owners or employees. A minimum of 40 Officer hours will be dedicated to Agricultural Outreach Programs.

Performance Objective 2: Conduct 35 Hazardous Materials Outreach Programs reaching at least 100 owners, operators or employees of businesses transporting or providing hazardous materials for transportation. A minimum of 40 Officer hours will be dedicated to Hazardous Materials educational projects.

Performance Objective 3: Conduct 5 Passenger Transportation Educational Seminars reaching at least 50 passenger carrier drivers. A minimum of 10 hours will be dedicated to passenger educational projects.

Performance Objective 4: Conduct 130 General Motor Carrier Educational Seminars reaching at least 1,700 owners, drivers and employees. A minimum of 230 hours will be dedicated to General Motor Carrier Educational projects. Some of the areas stressed in the presentation will be safety belt usage, driver behavior, and rules prohibiting texting in CMVs.

In the table below, indicate if the State intends to conduct the listed program activities and the estimated number.

Yes	No	Public Education and Awareness Activities	Goals
<input checked="" type="radio"/>	<input type="radio"/>	Carrier Safety Talks	152
<input checked="" type="radio"/>	<input type="radio"/>	CMV Safety Belt Education and Outreach	1
<input checked="" type="radio"/>	<input type="radio"/>	State Trucking Association Meetings	2
<input checked="" type="radio"/>	<input type="radio"/>	State-sponsored outreach events	10
<input checked="" type="radio"/>	<input type="radio"/>	Local educational safety events	10
<input checked="" type="radio"/>	<input type="radio"/>	Teen safety events	10

Program Activities: Describe components of the State's public education and awareness efforts that it intends to perform.

Program Activity Plan 1: Officer will reach out to colleges, major agribusinesses, and agricultural associations to host and advertise educational opportunities. Officer will research and prepare presentations that address the safety concerns of the government as well as the needs of the individual organizations.

Program Activity Plan 2: The Officer or Hazard Materials Specialist will reach out to colleges, industry associations, and businesses to host and advertise educational opportunities. The Officer and Hazardous Materials Specialist will research and prepare presentations that address the safety concerns of the government as well as the needs of the individual organizations.

Program Activity Plan 3: The Officer or Passenger Carrier Inspector will reach out to colleges, industry associations, and businesses to host and advertise educational opportunities. The Officer and Passenger Carrier Inspector will research and prepare presentations that address the safety concerns of the government as well as the needs of the individual companies.

Program Activity Plan 4: The Officer will reach out to colleges, industry associations and companies to host and advertise educational opportunities. The Officer will research and prepare presentations that address CDL, load securement, vehicle safety and driver safety concerns of the government as well as the needs of the individual organizations.

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 Performance Progress Report (SF-PPR):

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 185 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.

New Entrant

1 - New Entrant Focus Area

Instructions:

The FAST Act consolidated several FMCSA grant programs. Interstate New Entrant safety audits, which were funded previously under a separate FMCSA grant program, are now a component of the MCSAP grant. The FAST Act affirms that conducting New Entrant safety audits is now a requirement to participate in the MCSAP. The Act also says that a State or a third party may conduct 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. The Act allows a State to conduct Intrastate New Entrant Safety Audits at the State's discretion. However, States that choose to conduct intrastate safety audits must not negatively impact their interstate new entrant program.

Complete the following areas to describe your plan for this MCSAP focus area.

Goal: *Reducing the number and severity of crashes, injuries, and fatalities involving commercial motor vehicles by reviewing new entrant interstate and, at the State's discretion, intrastate motor carriers to ensure that they have effective safety management programs.*

Objective: Processing and Completing Safety Audits within the Statutory Time Limits

- *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.*
- *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.*

Enter New Entrant Agency:

Iowa Department of Transportation

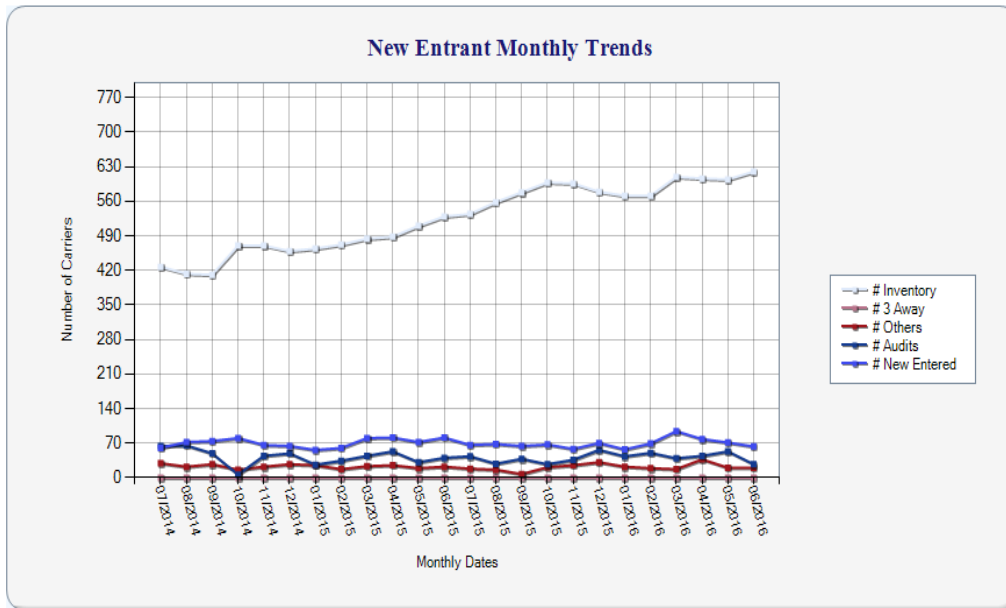
Strategies: Include a description of the strategies that will be utilized in order to meet the program objective above. The applicant must provide any challenges or impediments you foresee that may prevent your successful completion of the objective.

In 2003, the Office of Motor Vehicle Enforcement (MVE) began participation in the New Entrant Safety Audit Program consisting of five full-time Motor Carrier Investigators.

MVE'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 2017, MVE proposes to conduct 500 SAs and upload completed documents to MCMIS within the statutory time frames by utilizing four full-time New Entrant (NE) MCIs supervised by a Captain.

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



Data Source: Gotham/NE

/Monthly Trends 06/24/2016

Activity Plan: A description of the activities the applicant believes will help achieve the objectives. If group audits are planned, include an estimate of the number of group audits.

Iowa has become one of several “pilot states” for the Off-Site Audit Program in FFY 2017.

Approximately 90 percent of these audits may be conducted at the carrier’s place of business; the remaining 10 percent may be conducted at a central location, by appointment.

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.

Carrier No-Contact and Audit Refusal information will be entered in MCMIS in a timely manner. Iowa will follow FMCSA’s no-contact policy for non-compliant New Entrant Carriers. Non-audit resolutions will be processed in accordance with FMCSA policies as well.

Performance Measurement Plan: A description of how the applicant will measure progress toward meeting the objective, such as quantifiable and measureable outputs (staffing, work hours, carrier contacts, inspections, etc.). The measure must include specific benchmarks that can be reported on in the quarterly progress report, or as annual outputs.

The Motor Carrier Captain assigns NE caseloads and utilizes MVE weekly reports and MCMIS monitoring reports in reviewing MCI’s activity and non-audit resolutions.

The Motor Carrier 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 MCI’s weekly activity report, which is analyzed by the Program Manager on a monthly basis.

The NE Grant Manager tracks, on a monthly basis, the number of SAs, non-audit resolutions, and educational training conducted.

Critical Information Table: The following Critical Information Table (although not required) is provided below

for your use to summarize the anticipated project activities.

Summary of Anticipated Activities		
Number of Safety Audits/Non-Audit Resolutions	Interstate	Intrastate
# of Safety Audits (Onsite)	450	0
# of Safety Audits (Offsite)	50	0
TOTAL Safety Audits	500	0
# of Non-Audit Resolutions	100	0

Spending Plan

B&I Spending Plan

What is a Spending Plan?

The Spending Plan explains the 'what', 'how', and 'why' of a line item cost in carrying out grant project goals and objectives. Use these instructions to develop your application spending plan.

What does a Spending Plan do?

A spending plan is a narrative explanation of each budget component which supports the costs of the proposed work. The spending plan should focus on how each item is required to achieve the proposed project goals and objectives. It should also justify how costs were calculated. The spending plan should be clear, specific, detailed, and mathematically correct.

The spending plan is one of the first places FMCSA reviews to confirm the allowability, allocability, necessity, reasonableness and consistent treatment of an item. A well-developed spending plan is an effective management tool; a plan that doesn't represent a project's needs makes it difficult to recommend for funding and assess financial performance over the life of the project.

The spending plan serves a number of critical functions:

- *Describes your need for or necessity of an expense;*
- *Documents how reasonable the request is, conveys your judgment as well as the feasibility of the project in context of available and proposed resources.*
- *Helps FMCSA review high-risk cost items to decide funding.*

1 - Spending Plan: Personnel

What different types of costs do I need to put in my Spending Plan?

Below is the spending plan. You may add additional lines to the table, as necessary. Remember to include clear, concise explanations in the narrative on how you came up with the costs and how the costs are necessary.

The Federal Share and State Share columns are not automatically calculated based on the Total Eligible Costs. These are freeform fields and should be calculated and entered by State users. You are not required to include 15 percent State share for each line item, including Overtime. You are only required to contribute up to 15 percent of the total costs, which gives you the latitude to select the areas where you wish to place your match.

Unlike in previous years' CVSPs, planned Maintenance of Effort (MOE) expenditures are now to be included in the spending plan narrative for FY 2017. Your planned MOE expenditures will be auto-populated into the Spending Plan from the narrative sections.

Personnel costs are your employee salaries working directly on a project. Include the number and type of personnel, the percentage of time dedicated to the project, number of hours in a work year, hourly wage rate, and total cost. It is not necessary to list all individual personnel separately by line. You may use average or actual salary and wages by personnel category (e.g., Trooper, Civilian Inspector, Admin Support, etc.). You may add as many additional lines as necessary to reflect your personnel costs.

The Hourly Rate column is where the State will enter the hourly pay rate that you have determined for each position.

If Overtime (OT) is going to be charged to the grant, please add the OT amounts that will be charged under the award (not to exceed 15% of the total award amount).

Identify the method of accounting used by the State: ☒ Cash ☐ Accrual

Allowable amount for Overtime (15% of total award amount without justification): \$834,227.00

Personnel Spending Plan Narrative								
Salary Information								
Position(s)	# of Staff	% of Time	Work Year Hours	Hourly Rate	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
Chief	1	29	2080	\$63.75	\$38,454.00	\$32,685.90	\$5,768.10	\$0.00
Assistant Chief	1	34	2080	\$48.56	\$34,341.63	\$29,190.39	\$5,151.24	\$0.00
Captain-Special Operations	1	15	2080	\$40.26	\$12,561.12	\$10,676.95	\$1,884.17	\$0.00
Captain	5	35	2080	\$40.25	\$146,510.00	\$124,533.50	\$21,976.50	\$0.00
Captain-Training	1	75	2080	\$40.25	\$62,790.00	\$53,371.50	\$9,418.50	\$0.00
Lieutenant	2	40	2080	\$37.67	\$62,682.88	\$53,280.45	\$9,402.43	\$0.00
Sergeant	11	35	2080	\$34.20	\$273,873.60	\$232,792.56	\$41,081.04	\$0.00
HM Specialist	6	35	2080	\$34.20	\$149,385.60	\$126,977.76	\$22,407.84	\$0.00
Officers	65	40.91	2080	\$31.14	\$1,722,363.36	\$1,464,008.86	\$258,354.50	\$0.00
Officer-Information Line	1	75	2080	\$31.14	\$48,578.40	\$41,291.64	\$7,286.76	\$0.00
MCSAP Manager	1	75	2080	\$33.02	\$51,511.20	\$43,784.52	\$7,726.68	\$0.00
Secretary 2	1	50	2080	\$23.51	\$24,450.40	\$20,782.84	\$3,667.56	\$0.00
Sub-Total Salary					\$2,627,502.20	\$2,233,376.87	\$394,125.32	\$0.00
Overtime Information								
Overtime		100	2080		\$0.00	\$0.00	\$0.00	\$0.00
Sub-Total Overtime					\$0.00	\$0.00	\$0.00	\$0.00
TOTAL PERSONNEL					\$2,627,502.20	\$2,233,376.87	\$394,125.32	\$0.00

Enter detailed explanation of how you came up with the personnel costs:

MVE BUDGET NARRATIVE

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 met by officers and staff, which are tracked through internal reports, but not submitted for reimbursement.

Motor Vehicle Enforcement – Financial Summary

As the lead MCSAP agency, the Iowa Department of Transportation supports the MCSAP program by fully funding the \$12,303,000.00 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 2080 hours available 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 State FY 2017 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. He spends 29% of his time supervising staff and working with Majors in setting MCSAP performance goals. He also attends MCSAP-related conferences.

Assistant Chief

The Assistant Chief supervises activities of the project. He spends 34% of his 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 Unit

The Captain of Special Operations Unit supervises activities of the project. He spends 15% of his time implementing this project, supervising staff and conducting activities to meet the objectives of this project. Activities include: supervising daily operation of Special Operation Unit consisting of Hazardous Material Specialists and Motor Carrier Investigators located throughout the state, working with Training Captain and Technology Support Specialists (Lieutenants) to identify trends in out-of-service drivers and vehicles.

Captain

The Captains supervise activities of the project and spends 35% of their time implementing this project, supervising sergeants and officers and conducting activities to meet the objectives of this project. Activities include: supervising and reviewing daily and weekly 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.

Captain of Training

The Captain of Training develops, reviews, and updates outreach material and spends 75% of his time implementing this project. Activities include: managing recruitment and recertification for officers, overseeing Field Training Program for new officers, schedule, coordinate, and presents 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 Lieutenants maintain TraCS software and database for downloading inspections to SAFETYNET and spends 40% of their time implementing this project. Activities include: maintaining SAFETYNET database and conducting roadside inspections to fulfill MCSAP reporting requirements.

Sergeant

The Sergeants assist supervisor with instructing Officers and spends 35% of their 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.

Hazardous Materials Specialist

The Hazardous Materials Specialists are accountable for the highly specialized responsibilities of inspecting hazardous material loads for compliance with federal and state laws and spends 35% of their 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.

Officers

The Officers inspect commercial motor vehicles for compliance, observes drivers for impairment and places unsafe drivers out of service and spends 39% of their time implementing this project. Activities include conducting roadside inspections to fulfill MCSAP reporting requirements.

Officer-Information Line

MVE staffs a full-time informational telephone line. This phone is staffed during the workday by a Motor Vehicle Officer who can answer questions regarding vehicle size and weight, CMV safety and compliance issues, etc. and spends 75% of the time implementing this project. Activities include conducting roadside inspections to fulfill MCSAP reporting requirements and managing the Data Q process for Iowa.

MCSAP Manager

The MCSAP Manager is responsible for development of annual Commercial Vehicle Safety Plan and spends 75% of the time implementing this project. Activities include: Monitor inspection projection trends, prepare and submit quarterly MCSAP program performance reports to FMCSA, submit monthly billing to Office of Accounting for reimbursement.

Secretary 2

The Secretary 2 is responsible for providing clerical support to Motor Vehicle staff and spends 50% of the time implementing this project. Activities include: producing monthly and year-to-date officer reports, working with TRAMS dashboard and ordering uniforms and supplies.

2 - Spending Plan: Fringe Benefits

Fringe costs are benefits paid to your employees, including the cost of employer's share of FICA, health insurance, worker's compensation, and paid leave. Only non-federal grantees that have an accrual basis of accounting may have a separate line item for leave, which will be entered as the projected leave expected to be accrued by the personnel listed within Narrative Section 1 – Personnel. Reference 2 CFR 200.431(b) for the proper management of leave expenditures. Include how the fringe benefit amount is calculated (i.e., actual fringe benefits, rate approved by HHS State Wide 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 costs of fringe benefits are allowable if they are provided under established written leave policies; the costs are equitably allocated to all related activities, including Federal awards; and, the accounting basis (cash or accrual) selected for costing each type of leave is consistently followed by the non-Federal entity or specified grouping of employees. Depending on the state, there are set employer taxes that are paid as a percentage of the salary, such as Social Security, Federal Unemployment Tax Assessment, Medicare, State Unemployment Tax, and State Disability Insurance. 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 Narrative Section 1 and the base multiplied by the respective rate would give the total for each standard employer taxes. Workers' Compensation is rated by risk area. It would be permissible to enter this as an average, usually between sworn and unsworn, but any grouping that is reasonable and clearly explained in the narrative is allowable. Health Insurance and Pensions can vary greatly and it too can be averaged and like Workers' Compensation, can sometimes be broken into sworn and unsworn.

Fringe Benefits Spending Plan Narrative						
Position(s)	Fringe Benefit Rate	Base Amount	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
Chief	41.72	\$38,454.00	\$16,043.01	\$0.00	\$0.00	\$16,043.01
Assistant Chief	41.72	\$34,341.63	\$14,327.33	\$0.00	\$0.00	\$14,327.33
Captain-Special Operations	41.72	\$12,561.12	\$5,240.50	\$0.00	\$0.00	\$5,240.50
Captain	41.72	\$146,510.00	\$61,123.97	\$0.00	\$0.00	\$61,123.97
Captain-Training	41.72	\$62,790.00	\$26,195.99	\$0.00	\$0.00	\$26,195.99
Lieutenant	41.72	\$62,682.88	\$26,151.30	\$0.00	\$0.00	\$26,151.30
Sergeant	41.72	\$273,873.60	\$114,260.07	\$0.00	\$0.00	\$114,260.07
HM Specialist	41.72	\$149,385.60	\$62,323.67	\$0.00	\$0.00	\$62,323.67
Officers	41.72	\$1,722,363.36	\$718,569.99	\$0.00	\$0.00	\$685,021.51
Officer-Information Line	41.72	\$48,578.40	\$20,266.91	\$0.00	\$0.00	\$20,266.91
MCSAP Manager	41.72	\$51,511.20	\$21,490.47	\$0.00	\$0.00	\$21,490.47
Secretary 2	41.72	\$24,450.40	\$10,200.71	\$0.00	\$0.00	\$10,200.71
Sub-Total Fringe Benefits			\$1,096,193.92	\$0.00	\$0.00	\$1,062,645.44

Enter detailed explanation of how you came up with the fringe benefits costs:

FRINGE BENEFIT COSTS:

Fringe benefits are calculated with a rate approved by our Accounting Office and are included on the state FY 2016 Fringe Benefit Additive Rate letter attached (the State has not determined FY 2017 rate at the time of the CVSP preparation). The FY 2016 rate of 41.72 percent is being used as a placeholder pending release of the FY 2017 Fringe Rate. Such rate includes FICA, IPERS, Deferred Compensation plans, and the employer's portion of Health and Life Insurance.

Base amount is calculated by dividing total cost of each employee by .4172.

3 - Spending Plan: Travel

Travel costs are funds for field work or for travel to professional meetings. Provide the purpose, number of persons traveling, number of days, and estimated cost for each trip. If details of each trip are not known at the time of application submission, provide the basis for determining the amount requested.

Travel Cost Spending Plan Narrative						
Purpose	# of Staff	Days	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
Conference Travel-CVSA Fall Workshop	3	5	\$7,290.00	\$6,196.50	\$1,093.50	\$0.00
Conference-CVSA Spring Workshop	5	5	\$9,225.00	\$7,841.25	\$1,383.75	\$0.00
FMCSA Conference	4	4	\$5,360.00	\$4,556.00	\$804.00	\$0.00
Conference-COHMED	2	7	\$4,610.00	\$3,918.50	\$691.50	\$0.00
Conference-North American Inspector's Competition	1	8	\$2,360.00	\$2,006.00	\$354.00	\$0.00
Routine MCSAP-Related Travel	65	10	\$63,700.00	\$54,145.00	\$9,555.00	\$0.00
NAS A&B Training	8	10	\$7,280.00	\$6,188.00	\$1,092.00	\$0.00
CSA Phase III Training	1	5	\$1,750.00	\$1,487.50	\$262.50	\$0.00
Electronic Logging Device Training	2	5	\$2,874.00	\$2,442.90	\$431.10	\$0.00
GHM Training	12	5	\$5,880.00	\$4,998.00	\$882.00	\$0.00
CTI Training	17	5	\$8,330.00	\$7,080.50	\$1,249.50	\$0.00
Sub-Total Travel			\$118,659.00	\$100,860.15	\$17,798.85	\$0.00

Enter detailed explanation of how you came up with the travel costs:

TRAVEL:

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 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 Fall Workshop in Whitehorse, YT, Canada for 3 Officers with an average cost per Officer of \$1,150 airfare, or \$3,450; \$96/day meal allowance, or \$1,440, and \$200/day hotel accommodation, or \$2,400 for a total of \$7,290.

CVSA Spring Workshop in Atlanta, GA for 5 Officers with an average cost per Officer of \$875 airfare, or \$4,375; \$50/day meal allowance, or \$1,250 and \$180/day hotel accommodation, or \$3,600 for a total of \$9,225.

FMCSA Grant Workshop (location to be determined) for 3 Officers and 1 Civilian with an average cost per Officer/Civilian of \$600 airfare, or \$2,400; \$50/day meal allowance, or \$800 and \$180/day hotel accommodation, or \$2,160 for a total of \$5,360.

COHMED Conference in Savannah, GA for 2 Officers with an average cost per Officer of \$875 airfare, or \$1,750; \$50/day meal allowance, or \$700 and \$180/day hotel accommodation, or \$2,160 for a total of \$4,610.

North American Inspector's Competition (location to be determined) for 1 Officer with an average cost of \$700 airfare; \$50/day meal

allowance, or \$400 and \$180/day hotel accommodation, or \$1,260 for a total of \$2,360.

Training Travel:

NAS A& B Training for 8 Officers with a \$28/day meal allowance, or \$2,240 and \$70/day hotel accommodation, or \$5,040 for a total of \$7,280.

CSA Phase III Training for 1 Officer with an average cost per Officer of \$600 airfare; \$50/day meal allowance, or \$250 and \$180/day hotel accommodation, or \$900 for a total of \$1,750.

Electronic Logging Devices Training for 2 Officers with an average cost per Officer of \$287 airfare; \$50 /day meal allowance, or \$500 and \$180/day hotel accommodation, or \$1,800for a total of \$2,874.

GHM Training for 12 Officers with a \$28/day meal allowance, or \$1,680 and \$70/day hotel accommodation, or \$4,200 for a total of \$5,880.

CTI Training for 17 Officers with a \$28/day meal allowance, or \$2,380 and \$70/day hotel accommodation, or \$5,950 for a total of \$8,330.

4 - Spending Plan: Equipment

Equipment costs only include those items which are tangible, nonexpendable, personal property having a useful life of more than one year and acquisition cost of \$5,000 or more per unit. Include a description, quantity and unit price for all equipment. If the expense is under the threshold of \$5,000 per item, it belongs under "Supplies". However, if your State's equipment threshold is below \$5,000, check the box and provide the amount of your equipment threshold.

The actual "Cost per Item" for MCSAP grant purposes is tied to the percentage of time that the team will be dedicated to MCSAP activities. For example, if you purchase a vehicle costing \$20,000 and it is only used for MCSAP purposes 50% of the time, then the "Cost per Item" in the table below should be shown as \$10,000. A State can provide a more detailed explanation in the narrative section.

Indicate if your State's equipment threshold is below \$5,000: ☐ Yes ☒ No

If threshold is below \$5,000, enter threshold level:

Equipment Cost Spending Plan Narrative						
Item Name	# of Items	Cost per Item	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
Sub-Total Equipment			\$0.00	\$0.00	\$0.00	\$0.00

Enter detailed explanation of how you came up with the equipment costs:

5 - Spending Plan: Supplies

Supplies are tangible personal property other than equipment (which can include laptop computers and printers). Include the types of property in general terms. It is not necessary to document office supplies in great detail (reams of paper, boxes of paperclips, etc.) A good way to document office supplies is to indicate the approximate expenditure of the unit as a whole. Do include a quantity, unit of measurement (e.g., month, year, each, etc.) and unit cost.

The actual "Cost per Item" for MCSAP grant purposes is tied to the percentage of time that the item will be dedicated to MCSAP activities. For example, if you purchase an item costing \$200 and it is only used for MCSAP purposes 50% of the time, then the "Cost per Item" in the table below should be shown as \$100. A State can provide a more detailed explanation in the narrative section.

Supplies Cost Spending Plan Narrative							
Item Name	# of Units/Items	Unit of Measurement	Cost per Unit	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
Office Supplies	12	Monthly	\$637.76	\$7,653.12	\$6,505.15	\$1,147.97	\$0.00
Officer Uniforms	1	Yearly	\$9,689.88	\$9,689.88	\$8,236.40	\$1,453.48	\$0.00
Sub-Total Supplies				\$17,343.00	\$14,741.55	\$2,601.45	\$0.00

Enter detailed explanation of how you came up with the supplies costs:

Office supplies include paper, pens, in-car printer paper and other miscellaneous items used by officers to perform and support MCSAP-related activities.

Uniforms for eight new officers, which include five sets/officer of Class "A" trousers, long/short sleeve shirts, Class "B" Tactical Pants and long/short sleeve shirts, belts, shoes (Chukka and Black Oxford), boots, coats, gloves, hats and accessories (summer uniform straw hat, felt winter hat chip strap, rain cap, ear grips, etc.), leather accessories (holsters handcuff case, radio pouch, etc.). Total uniform costs per officer is anticipated to be \$6,056.13. Based on known past dedication levels from PARS, this expense is budgeted at 20% of the total cost, which represents the MCSAP eligible share of the cost consistent with PARS (\$1,211.23/officer).

6 - Spending Plan: Contractual

Contractual includes subgrants and contracts, such as consulting costs. Include the rationale for the amount of the costs. The narrative should provide the name of the subgrantee or vendor if known at the time that the application is being developed. If the name of the subgrantee or vendor is not known, enter "unknown at this time" and give an estimated time when it is expected. You do need to include specific contract goods and/or services provided, the related expenses for those goods and services, and how the cost of the contract represents a fair market value, which includes stating that the contract is procured through established state procurement practices. Entering the statement "contractual services" will not be considered as meeting the requirement for completing this section.

Contract means 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.

Subaward means 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. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

For applicants with subgrantee agreements: Whenever the applicant intends to provide funding to another organization as a subaward, the grantee must provide a narrative and spending plan for each subgrantee organization. The eCVSP allows applicants to submit a narrative and spending plan for each subgrantee. Provide a separate spending plan for each subgrant, regardless of the dollar value and indicate the basis for the cost estimates in the narrative.

Contractual Cost Spending Plan Narrative				
Description of Services	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
Sub-Total Contractual	\$0.00	\$0.00	\$0.00	\$0.00

Enter detailed explanation of how you came up with the contractual costs:

7 - Spending Plan: Other Costs

Other direct costs do not fit any of the aforementioned categories, such as rent for buildings used to conduct project activities, utilities and/or leased equipment, employee training tuition, etc. You must include a quantity, unit of measurement (e.g., month, year, each, etc.) and unit cost. You must itemize ALL "Other" direct costs.

If the State plans to include O&M costs, details must be provided in this section and the costs included in the Other Costs area of the Spending Plan Narrative. Please indicate these costs as ITD O&M, PRISM O&M, or SSDQ O&M.

Indicate if your State will claim reimbursement for Indirect Costs: ☐ Yes ☒ No If yes please fill in table below.

Item Name	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
Indirect Costs				

Other Costs Spending Plan Narrative							
Item Name	# of Units/Items	Unit of Measurement	Cost per Unit	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
HazMat 49 CFR	105	Year	\$17.00	\$1,785.00	\$1,517.25	\$267.75	\$0.00
FMCSR	135	Year	\$8.00	\$1,080.00	\$918.00	\$162.00	\$0.00
CVSA Membership Dues	1	Year	\$7,900.00	\$7,900.00	\$6,715.00	\$1,185.00	\$0.00
CVSA Decals	1275	Year	\$3.36	\$4,284.00	\$3,641.40	\$642.60	\$0.00
Vehicle Fleet Costs	1978347	Year	\$0.23	\$455,019.81	\$386,766.83	\$68,252.98	\$0.00
Laptop Computer Air Cards	98	Year	\$476.70	\$46,716.60	\$39,709.11	\$7,007.49	\$0.00
Sub-Total Other Costs				\$516,785.41	\$439,267.59	\$77,517.82	\$0.00

Enter detailed explanation of how you came up with the other costs:

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

FMCSR books are updated yearly and utilized by all officers for a total cost of \$1,080 (135 @ \$8 ea.). Iowa will purchase 105 for MVE staff and 30 will be for Iowa State Patrol.

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

CVSA Decals are ordered and assigned to each officer 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.

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. Each class of vehicle is charged a per mile rate of 0.23. Cost shown are related to MCSAP activity.

Laptop computer air cards are used to conduct PRISM checks, which total \$476.70 a year for each officer, or total cost of \$46,716.60.

8 - Spending Plan**Instructions:**

The spending plan will be auto-populated from the relevant tables in the narrative. MOE is autopopulated from the Spending Plan Narrative sections. The Total Grant Expenditures column is automatically calculated based on the auto-populated Federal and State share amounts entered in the narrative tables.

ESTIMATED Fiscal Year Funding Amounts for MCSAP			
	85% Federal Share	15% State Share	Total Estimated Funding
Total	\$4,727,289.00	\$834,227.00	\$5,561,516.00

Allowable amount for Overtime (15% of total award amount without justification): \$834,227.00

Maximum amount for Non-CMV Traffic Enforcement (10% of Basic funding amount): \$383,442.00

Personnel (Payroll Costs)				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Chief	\$32,685.90	\$5,768.10	\$38,454.00	\$0.00
Assistant Chief	\$29,190.39	\$5,151.24	\$34,341.63	\$0.00
Captain-Special Operations	\$10,676.95	\$1,884.17	\$12,561.12	\$0.00
Captain	\$124,533.50	\$21,976.50	\$146,510.00	\$0.00
Captain-Training	\$53,371.50	\$9,418.50	\$62,790.00	\$0.00
Lieutenant	\$53,280.45	\$9,402.43	\$62,682.88	\$0.00
Sergeant	\$232,792.56	\$41,081.04	\$273,873.60	\$0.00
HM Specialist	\$126,977.76	\$22,407.84	\$149,385.60	\$0.00
Officers	\$1,464,008.86	\$258,354.50	\$1,722,363.36	\$0.00
Officer-Information Line	\$41,291.64	\$7,286.76	\$48,578.40	\$0.00
MCSAP Manager	\$43,784.52	\$7,726.68	\$51,511.20	\$0.00
Secretary 2	\$20,782.84	\$3,667.56	\$24,450.40	\$0.00
Subtotal for Personnel	\$2,233,376.87	\$394,125.32	\$2,627,502.19	\$0.00

Fringe Benefit Costs (Health, Life Insurance, Retirement, etc.)				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Chief	\$0.00	\$0.00	\$0.00	\$16,043.01
Assistant Chief	\$0.00	\$0.00	\$0.00	\$14,327.33
Captain-Special Operations	\$0.00	\$0.00	\$0.00	\$5,240.50
Captain	\$0.00	\$0.00	\$0.00	\$61,123.97
Captain-Training	\$0.00	\$0.00	\$0.00	\$26,195.99
Lieutenant	\$0.00	\$0.00	\$0.00	\$26,151.30
Sergeant	\$0.00	\$0.00	\$0.00	\$114,260.07
HM Specialist	\$0.00	\$0.00	\$0.00	\$62,323.67
Officers	\$0.00	\$0.00	\$0.00	\$685,021.51
Officer-Information Line	\$0.00	\$0.00	\$0.00	\$20,266.91
MCSAP Manager	\$0.00	\$0.00	\$0.00	\$21,490.47
Secretary 2	\$0.00	\$0.00	\$0.00	\$10,200.71
Subtotal for Fringe Benefits	\$0.00	\$0.00	\$0.00	\$1,062,645.44

Program Travel				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Conference Travel-CVSA Fall Workshop	\$6,196.50	\$1,093.50	\$7,290.00	\$0.00
Conference-CVSA Spring Workshop	\$7,841.25	\$1,383.75	\$9,225.00	\$0.00
FMCSA Conference	\$4,556.00	\$804.00	\$5,360.00	\$0.00
Conference-COHMED	\$3,918.50	\$691.50	\$4,610.00	\$0.00
Conference-North American Inspector's Competition	\$2,006.00	\$354.00	\$2,360.00	\$0.00
Routine MCSAP-Related Travel	\$54,145.00	\$9,555.00	\$63,700.00	\$0.00
NAS A&B Training	\$6,188.00	\$1,092.00	\$7,280.00	\$0.00
CSA Phase III Training	\$1,487.50	\$262.50	\$1,750.00	\$0.00
Electronic Logging Device Training	\$2,442.90	\$431.10	\$2,874.00	\$0.00
GHM Training	\$4,998.00	\$882.00	\$5,880.00	\$0.00
CTI Training	\$7,080.50	\$1,249.50	\$8,330.00	\$0.00
Subtotal for Program Travel	\$100,860.15	\$17,798.85	\$118,659.00	\$0.00

Equipment				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Subtotal for Equipment	\$0.00	\$0.00	\$0.00	\$0.00

Supplies				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Office Supplies	\$6,505.15	\$1,147.97	\$7,653.12	\$0.00
Officer Uniforms	\$8,236.40	\$1,453.48	\$9,689.88	\$0.00
Subtotal for Supplies	\$14,741.55	\$2,601.45	\$17,343.00	\$0.00

Contractual (Subgrantees, Consultant Services, etc.)				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Subtotal for Contractual	\$0.00	\$0.00	\$0.00	\$0.00

Other Expenses				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
HazMat 49 CFR	\$1,517.25	\$267.75	\$1,785.00	\$0.00
FMCSR	\$918.00	\$162.00	\$1,080.00	\$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
Vehicle Fleet Costs	\$386,766.83	\$68,252.98	\$455,019.81	\$0.00
Laptop Computer Air Cards	\$39,709.11	\$7,007.49	\$46,716.60	\$0.00
Subtotal for Other Expenses including Training & Conferences	\$439,267.59	\$77,517.82	\$516,785.41	\$0.00

Total Costs				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Subtotal for Direct Costs	\$2,788,246.16	\$492,043.44	\$3,280,289.60	\$1,062,645.44
Total Costs Budgeted	\$2,788,246.16	\$492,043.44	\$3,280,289.60	\$1,062,645.44

Spending Plan (Sub-Grantee: IOWA STATE PATROL)

B&I Spending Plan**What is a Spending Plan?**

The Spending Plan explains the 'what', 'how', and 'why' of a line item cost in carrying out grant project goals and objectives. Use these instructions to develop your application spending plan.

What does a Spending Plan do?

A spending plan is a narrative explanation of each budget component which supports the costs of the proposed work. The spending plan should focus on how each item is required to achieve the proposed project goals and objectives. It should also justify how costs were calculated. The spending plan should be clear, specific, detailed, and mathematically correct.

The spending plan is one of the first places FMCSA reviews to confirm the allowability, allocability, necessity, reasonableness and consistent treatment of an item. A well-developed spending plan is an effective management tool; a plan that doesn't represent a project's needs makes it difficult to recommend for funding and assess financial performance over the life of the project.

The spending plan serves a number of critical functions:

- *Describes your need for or necessity of an expense;*
- *Documents how reasonable the request is, conveys your judgment as well as the feasibility of the project in context of available and proposed resources.*
- *Helps FMCSA review high-risk cost items to decide funding.*

1 - Spending Plan: Personnel

What different types of costs do I need to put in my Spending Plan?

Below is the spending plan. You may add additional lines to the table, as necessary. Remember to include clear, concise explanations in the narrative on how you came up with the costs and how the costs are necessary.

The Federal Share and State Share columns are not automatically calculated based on the Total Eligible Costs. These are freeform fields and should be calculated and entered by State users. You are not required to include 15 percent State share for each line item, including Overtime. You are only required to contribute up to 15 percent of the total costs, which gives you the latitude to select the areas where you wish to place your match.

Unlike in previous years' CVSPs, planned Maintenance of Effort (MOE) expenditures are now to be included in the spending plan narrative for FY 2017. Your planned MOE expenditures will be auto-populated into the Spending Plan from the narrative sections.

Personnel costs are your employee salaries working directly on a project. Include the number and type of personnel, the percentage of time dedicated to the project, number of hours in a work year, hourly wage rate, and total cost. It is not necessary to list all individual personnel separately by line. You may use average or actual salary and wages by personnel category (e.g., Trooper, Civilian Inspector, Admin Support, etc.). You may add as many additional lines as necessary to reflect your personnel costs.

The Hourly Rate column is where the State will enter the hourly pay rate that you have determined for each position.

If Overtime (OT) is going to be charged to the grant, please add the OT amounts that will be charged under the award (not to exceed 15% of the total award amount).

Identify the method of accounting used by the State: ☒ Cash ☐ Accrual

Allowable amount for Overtime (15% of total award amount without justification): \$834,227.00

Personnel Spending Plan Narrative								
Salary Information								
Position(s)	# of Staff	% of Time	Work Year Hours	Hourly Rate	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
Lieutenant	1	25	2080	\$48.46	\$25,199.20	\$21,419.32	\$3,779.88	\$0.00
Administrative Assistant	1	30	2080	\$24.36	\$15,200.64	\$12,920.54	\$2,280.10	\$0.00
Sergeant	1	75	2080	\$44.05	\$68,718.00	\$58,410.30	\$10,307.70	\$0.00
Troopers-Part Time	32	6.99	2080	\$37.20	\$173,074.64	\$147,113.44	\$25,961.20	\$0.00
Budget Analyst II	1	3	2080	\$32.04	\$1,999.30	\$1,699.41	\$299.89	\$0.00
Trooper	10	80	2080	\$37.20	\$619,008.00	\$526,156.80	\$92,851.20	\$0.00
Captain	1	5	2080	\$52.75	\$5,486.00	\$4,663.10	\$822.90	\$0.00
Sub-Total Salary					\$908,685.77	\$772,382.91	\$136,302.87	\$0.00
Overtime Information								
Overtime	42	100	45	\$55.80	\$105,462.00	\$95,251.34	\$16,809.06	\$0.00
Sub-Total Overtime					\$105,462.00	\$95,251.34	\$16,809.06	\$0.00
TOTAL PERSONNEL					\$1,014,147.77	\$867,634.25	\$153,111.93	\$0.00

Enter detailed explanation of how you came up with the personnel costs:

Iowa State Patrol administrative staff offices are located in Des Moines, Iowa with MCSAP Troopers strategically located across the state. The Iowa State Patrol MCSAP Program consists of 1 Captain, 1 Lieutenant, 1 Sergeant, 10 full-time Troopers, 32 part-time Troopers and 2 civilian support staff. Ten full-time Troopers are Level II certified and part-time Troopers are Level III certified.

The personnel salary is derived from 2,080 available work hours in a year and the amount of time spent performing MCSAP eligible activities. Individual hourly wages are used to calculate the average figure for the total cost of salaries.

There will be a minimum of 224 extra shifts divided among the 42 certified MCSAP Troopers that will focus on CMV traffic enforcement. Each Trooper will be allocated 45 hours of overtime for a total of 1,890 hours. Cost for each overtime hour is based on state labor practices computed at 1.5 times the average Trooper's salary ($1.5 \times \$37.20 = \55.80)

PERSONNEL:

Captain

The Area Captain provides oversight and direction with the implementation of the MCSAP program.

Lieutenant

The Lieutenant provides direct oversight to the MCSAP Sergeant position and the MCSAP program.

Sergeant

The Sergeant provides daily oversight to the employees assigned to the MCSAP program.

Administrative Assistant

The Administrative Assistant manages the MCSAP Troopers payroll records, court notices and administrative functions related to the MCSAP program.

Budget Analyst

The Budget Analyst maintains financial records of the MCSAP program and provides billing documentation to the lead agency.

MCSAP Troopers

The MCSAP Troopers perform CMV inspections and conduct traffic enforcement with an effort to reduce traffic related injuries and

preventable deaths involving large trucks and buses.

Personnel Activity Reports (PARs) will be utilized to support all claimed personnel charges throughout the project and submitted to Iowa DOT for review and approval upon request.

2 - Spending Plan: Fringe Benefits

Fringe costs are benefits paid to your employees, including the cost of employer's share of FICA, health insurance, worker's compensation, and paid leave. Only non-federal grantees that have an accrual basis of accounting may have a separate line item for leave, which will be entered as the projected leave expected to be accrued by the personnel listed within Narrative Section 1 – Personnel. Reference 2 CFR 200.431(b) for the proper management of leave expenditures. Include how the fringe benefit amount is calculated (i.e., actual fringe benefits, rate approved by HHS State Wide 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 costs of fringe benefits are allowable if they are provided under established written leave policies; the costs are equitably allocated to all related activities, including Federal awards; and, the accounting basis (cash or accrual) selected for costing each type of leave is consistently followed by the non-Federal entity or specified grouping of employees. Depending on the state, there are set employer taxes that are paid as a percentage of the salary, such as Social Security, Federal Unemployment Tax Assessment, Medicare, State Unemployment Tax, and State Disability Insurance. 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 Narrative Section 1 and the base multiplied by the respective rate would give the total for each standard employer taxes. Workers' Compensation is rated by risk area. It would be permissible to enter this as an average, usually between sworn and unsworn, but any grouping that is reasonable and clearly explained in the narrative is allowable. Health Insurance and Pensions can vary greatly and it too can be averaged and like Workers' Compensation, can sometimes be broken into sworn and unsworn.

Fringe Benefits Spending Plan Narrative						
Position(s)	Fringe Benefit Rate	Base Amount	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
Lieutenant	61.10	\$25,199.20	\$15,396.71	\$13,087.20	\$2,309.51	\$0.00
Administrative Assistant	53.32	\$15,200.64	\$8,104.98	\$6,889.23	\$1,215.75	\$0.00
Sergeant	59.95	\$68,718.00	\$41,196.44	\$35,016.97	\$6,179.47	\$0.00
Troopers-Part Time	54.65	\$173,074.64	\$94,585.29	\$80,397.50	\$14,187.79	\$0.00
Budget Analyst II	46.48	\$1,999.30	\$929.27	\$789.88	\$139.39	\$0.00
Trooper	57.58	\$619,008.00	\$356,424.81	\$302,961.09	\$53,463.72	\$0.00
Captain	55.37	\$5,486.00	\$3,037.60	\$2,581.96	\$455.64	\$0.00
Overtime			\$0.00	\$0.00	\$0.00	\$0.00
Sub-Total Fringe Benefits			\$519,675.10	\$441,723.83	\$77,951.27	\$0.00

Enter detailed explanation of how you came up with the fringe benefits costs:

The Personnel Fringe Benefits are derived from 2,080 available hours and the amount of time spent performing MCSAP related activities. Personnel fringe benefits include costs for the employer's share of FICA, POR, Health, Dental, Life, Accidental Disability and Deferred Compensation benefits.

3 - Spending Plan: Travel

Travel costs are funds for field work or for travel to professional meetings. Provide the purpose, number of persons traveling, number of days, and estimated cost for each trip. If details of each trip are not known at the time of application submission, provide the basis for determining the amount requested.

Travel Cost Spending Plan Narrative						
Purpose	# of Staff	Days	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
In-State Enforcement Projects	6	24	\$11,052.00	\$9,394.20	\$1,657.80	\$0.00
FMCSA/Grant Workshop	3	5	\$2,109.00	\$1,792.65	\$316.35	\$0.00
Sub-Total Travel			\$13,161.00	\$11,186.85	\$1,974.15	\$0.00

Enter detailed explanation of how you came up with the travel costs:

Iowa State Troopers are assigned to enforcement projects in high crash areas to enhance traffic safety. Troopers will be on travel status while assigned to each enforcement project. Costs associated with the MCSAP Grant Planning Meeting includes meals, lodging and travel. These costs are derived from actual reimbursement amounts allowable by the the State of Iowa.

In-State Enforcement Projects:

Iowa State Troopers will perform 6 In-State Enforcement Projects involving 6 Troopers with a state approved meal allowance of \$28/day, or \$4,032 and \$65/day hotel accommodation, or \$7,020 for a total cost of \$11,052.

MCSAP Grant Planning Meeting:

FMCSA Grant Workshop for 3 Troopers with a cost/Trooper of \$303 airfare, or \$909, state approved meal allowance of \$28/day, or \$420 and \$65/day hotel accommodation, or \$780 for a total of \$2,109.

4 - Spending Plan: Equipment

Equipment costs only include those items which are tangible, nonexpendable, personal property having a useful life of more than one year and acquisition cost of \$5,000 or more per unit. Include a description, quantity and unit price for all equipment. If the expense is under the threshold of \$5,000 per item, it belongs under "Supplies". However, if your State's equipment threshold is below \$5,000, check the box and provide the amount of your equipment threshold.

The actual "Cost per Item" for MCSAP grant purposes is tied to the percentage of time that the team will be dedicated to MCSAP activities. For example, if you purchase a vehicle costing \$20,000 and it is only used for MCSAP purposes 50% of the time, then the "Cost per Item" in the table below should be shown as \$10,000. A State can provide a more detailed explanation in the narrative section.

Indicate if your State's equipment threshold is below \$5,000: ☐ Yes ☒ No

If threshold is below \$5,000, enter threshold level:

Equipment Cost Spending Plan Narrative						
Item Name	# of Items	Cost per Item	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
Sub-Total Equipment			\$0.00	\$0.00	\$0.00	\$0.00

Enter detailed explanation of how you came up with the equipment costs:

5 - Spending Plan: Supplies

Supplies are tangible personal property other than equipment (which can include laptop computers and printers). Include the types of property in general terms. It is not necessary to document office supplies in great detail (reams of paper, boxes of paperclips, etc.) A good way to document office supplies is to indicate the approximate expenditure of the unit as a whole. Do include a quantity, unit of measurement (e.g., month, year, each, etc.) and unit cost.

The actual "Cost per Item" for MCSAP grant purposes is tied to the percentage of time that the item will be dedicated to MCSAP activities. For example, if you purchase an item costing \$200 and it is only used for MCSAP purposes 50% of the time, then the "Cost per Item" in the table below should be shown as \$100. A State can provide a more detailed explanation in the narrative section.

Supplies Cost Spending Plan Narrative							
Item Name	# of Units/Items	Unit of Measurement	Cost per Unit	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
Office Supplies	12	Monthly	\$61.41	\$736.92	\$626.38	\$110.54	\$0.00
Postage	12	Monthly	\$15.66	\$187.92	\$159.73	\$28.19	\$0.00
Sub-Total Supplies				\$924.84	\$786.11	\$138.73	\$0.00

Enter detailed explanation of how you came up with the supplies costs:

Office supplies include paper, pens, in-car printer paper, stamps, and miscellaneous other items used by staff to perform and support MCSAP-related activities.

6 - Spending Plan: Contractual

Contractual includes subgrants and contracts, such as consulting costs. Include the rationale for the amount of the costs. The narrative should provide the name of the subgrantee or vendor if known at the time that the application is being developed. If the name of the subgrantee or vendor is not known, enter "unknown at this time" and give an estimated time when it is expected. You do need to include specific contract goods and/or services provided, the related expenses for those goods and services, and how the cost of the contract represents a fair market value, which includes stating that the contract is procured through established state procurement practices. Entering the statement "contractual services" will not be considered as meeting the requirement for completing this section.

Contract means 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.

Subaward means 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. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

For applicants with subgrantee agreements: Whenever the applicant intends to provide funding to another organization as a subaward, the grantee must provide a narrative and spending plan for each subgrantee organization. The eCVSP allows applicants to submit a narrative and spending plan for each subgrantee. Provide a separate spending plan for each subgrant, regardless of the dollar value and indicate the basis for the cost estimates in the narrative.

Contractual Cost Spending Plan Narrative				
Description of Services	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
Sub-Total Contractual	\$0.00	\$0.00	\$0.00	\$0.00

Enter detailed explanation of how you came up with the contractual costs:

7 - Spending Plan: Other Costs

Other direct costs do not fit any of the aforementioned categories, such as rent for buildings used to conduct project activities, utilities and/or leased equipment, employee training tuition, etc. You must include a quantity, unit of measurement (e.g., month, year, each, etc.) and unit cost. You must itemize ALL "Other" direct costs.

If the State plans to include O&M costs, details must be provided in this section and the costs included in the Other Costs area of the Spending Plan Narrative. Please indicate these costs as ITD O&M, PRISM O&M, or SSDQ O&M.

Indicate if your State will claim reimbursement for Indirect Costs: ☐ Yes ☒ No If yes please fill in table below.

Item Name	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
Indirect Costs				

Other Costs Spending Plan Narrative							
Item Name	# of Units/Items	Unit of Measurement	Cost per Unit	Total Eligible Costs	85% Federal Share	15% State Share	Planned MOE Expenditures
Vehicle Fleet Costs	11	Yearly	\$6,126.24	\$67,388.64	\$57,280.34	\$10,108.30	\$0.00
Laptop Computer Air Cards	11	Yearly	\$499.80	\$5,497.80	\$4,673.13	\$824.67	\$0.00
Cellular Phone Charges	11	Yearly	\$499.80	\$5,497.80	\$4,673.13	\$824.67	\$0.00
Vehicle Usage	11	Yearly	\$3,303.24	\$36,335.64	\$30,885.29	\$5,450.35	\$0.00
Sub-Total Other Costs				\$114,719.88	\$97,511.89	\$17,207.99	\$0.00

Enter detailed explanation of how you came up with the other costs:

The Vehicle Usage cost is determined by using the net price of a patrol vehicle and predicting the expected life based on the average miles driven each year by MCSAP Troopers. This cost is then broken down to average monthly and yearly costs per Trooper.

Vehicle Fleet Costs are based on actual gleaned from internal reports.

Communications (air cards for laptops) and Cellular phone charges are actual costs for those services.

8 - Spending Plan**Instructions:**

The spending plan will be auto-populated from the relevant tables in the narrative. MOE is autopopulated from the Spending Plan Narrative sections. The Total Grant Expenditures column is automatically calculated based on the auto-populated Federal and State share amounts entered in the narrative tables.

ESTIMATED Fiscal Year Funding Amounts for MCSAP			
	85% Federal Share	15% State Share	Total Estimated Funding
Total	\$4,727,289.00	\$834,227.00	\$5,561,516.00

Allowable amount for Overtime (15% of total award amount without justification): \$834,227.00

Maximum amount for Non-CMV Traffic Enforcement (10% of Basic funding amount): \$383,442.00

Personnel (Payroll Costs)				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Lieutenant	\$21,419.32	\$3,779.88	\$25,199.20	\$0.00
Administrative Assistant	\$12,920.54	\$2,280.10	\$15,200.64	\$0.00
Sergeant	\$58,410.30	\$10,307.70	\$68,718.00	\$0.00
Troopers-Part Time	\$147,113.44	\$25,961.20	\$173,074.64	\$0.00
Budget Analyst II	\$1,699.41	\$299.89	\$1,999.30	\$0.00
Trooper	\$526,156.80	\$92,851.20	\$619,008.00	\$0.00
Captain	\$4,663.10	\$822.90	\$5,486.00	\$0.00
Overtime	\$95,251.34	\$16,809.06	\$112,060.40	\$0.00
Subtotal for Personnel	\$867,634.25	\$153,111.93	\$1,020,746.18	\$0.00

Fringe Benefit Costs (Health, Life Insurance, Retirement, etc.)				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Lieutenant	\$13,087.20	\$2,309.51	\$15,396.71	\$0.00
Administrative Assistant	\$6,889.23	\$1,215.75	\$8,104.98	\$0.00
Sergeant	\$35,016.97	\$6,179.47	\$41,196.44	\$0.00
Troopers-Part Time	\$80,397.50	\$14,187.79	\$94,585.29	\$0.00
Budget Analyst II	\$789.88	\$139.39	\$929.27	\$0.00
Trooper	\$302,961.09	\$53,463.72	\$356,424.81	\$0.00
Captain	\$2,581.96	\$455.64	\$3,037.60	\$0.00
Overtime	\$0.00	\$0.00	\$0.00	\$0.00
Subtotal for Fringe Benefits	\$441,723.83	\$77,951.27	\$519,675.10	\$0.00

Program Travel				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
In-State Enforcement Projects	\$9,394.20	\$1,657.80	\$11,052.00	\$0.00
FMCSA/Grant Workshop	\$1,792.65	\$316.35	\$2,109.00	\$0.00
Subtotal for Program Travel	\$11,186.85	\$1,974.15	\$13,161.00	\$0.00

Equipment				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Subtotal for Equipment	\$0.00	\$0.00	\$0.00	\$0.00

Supplies				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Office Supplies	\$626.38	\$110.54	\$736.92	\$0.00
Postage	\$159.73	\$28.19	\$187.92	\$0.00
Subtotal for Supplies	\$786.11	\$138.73	\$924.84	\$0.00

Contractual (Subgrantees, Consultant Services, etc.)				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Subtotal for Contractual	\$0.00	\$0.00	\$0.00	\$0.00

Other Expenses				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Vehicle Fleet Costs	\$57,280.34	\$10,108.30	\$67,388.64	\$0.00
Laptop Computer Air Cards	\$4,673.13	\$824.67	\$5,497.80	\$0.00
Cellular Phone Charges	\$4,673.13	\$824.67	\$5,497.80	\$0.00
Vehicle Usage	\$30,885.29	\$5,450.35	\$36,335.64	\$0.00
Subtotal for Other Expenses including Training & Conferences	\$97,511.89	\$17,207.99	\$114,719.88	\$0.00

Total Costs				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Subtotal for Direct Costs	\$1,418,842.93	\$250,384.07	\$1,669,227.00	\$0.00
Total Costs Budgeted	\$1,418,842.93	\$250,384.07	\$1,669,227.00	\$0.00

Comprehensive Budget

This Comprehensive Budget is a read-only document. It is a cumulative summary of the Spending Plans from each focus area by budget category.

ESTIMATED Fiscal Year Funding Amounts for MCSAP			
	85% Federal Share	15% State Share	Total Estimated Funding
Total	\$4,727,289.00	\$834,227.00	\$5,561,516.00

Cost Summary by Budget Category				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Personnel Total	\$3,415,037.09	\$602,653.60	\$4,017,690.69	\$0.00
Fringe Benefit Total	\$572,735.46	\$101,070.98	\$673,806.44	\$1,062,645.44
Program Travel Total	\$152,558.00	\$26,922.00	\$179,480.00	\$0.00
Equipment Total	\$0.00	\$0.00	\$0.00	\$0.00
Supplies Total	\$32,282.86	\$5,696.98	\$37,979.84	\$0.00
Contractual Total	\$0.00	\$0.00	\$0.00	\$0.00
Other Expenses Total	\$554,675.16	\$97,883.87	\$652,559.03	\$0.00
Total Costs				
	85% Federal Share	15% State Share	Total Grant Expenditures	Planned MOE Expenditures
Subtotal for Direct Costs	\$4,727,288.57	\$834,227.43	\$5,561,516.00	\$1,062,645.44
Indirect Costs	\$0.00	\$0.00	\$0.00	\$0.00
Total Costs Budgeted	\$4,727,288	\$834,228	\$5,561,516	\$1,062,645

NOTE: Total Costs Budgeted row: Federal Share value rounded down to nearest whole dollar and State Share value rounded up to the nearest whole dollar amount.

**FMCSA Administrative Capability Questionnaire (Self Certification Form)
For State and Local Governments and Non-Profit Organizations
(Fiscal Year 2017)**

OVERVIEW

All organizations that receive Federal Motor Carrier Safety Administration (FMCSA) financial assistance funds are subject to the administrative and financial standards set forth in the relevant Code of Federal Regulation (CFR) sections and Office of Management and Budget (OMB) Circulars. The CFR sections and OMB Circulars that apply to recipients of Federal grant funds are:

- 2 CFR 215, "Uniform Administrative Requirements for Grants and Cooperative Agreement with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (OMB A-110)"
- 2 CFR 220, "Cost Principles for Educational Institutions (OMB A-21)"
- 2 CFR 225, "Cost Principles for State, Local, and Indian Tribal Governments (OMB A-87)"
- 2 CFR 230, "Cost Principles for Non-Profit Organizations (OMB A-122)"
- 49 CFR Part 18, "Transportation – Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (OMB Circular A-102 codified at 49 CFR Part 18)"
- OMB Circular A-133, "Audits of States, Local Government, and Non-Profit Organizations"

PURPOSE

The purpose of this Administrative Capabilities Questionnaire (ACQ) is to provide organizations seeking FMCSA grant funds with a tool to assess their ability to successfully manage Federal grant funds against administrative and financial standards. If an organization's policies and procedures do not fully comply with the requirements in the ACQ, the organization may need revised or new policies in order to comply with Federal financial management standards.

SUBMISSION INSTRUCTIONS

Please complete and sign the ACQ and include it as part of your organization's application for FMCSA grant funds. One ACQ is needed each Federal fiscal year; therefore, you need only attach one copy to a single FMCSA announcement. FMCSA will retain the ACQ and verify that your organization has the ACQ on file if you choose to apply to multiple FMCSA grant announcements. If you have questions pertaining to the ACQ, please contact the FMCSA Grants Management Office:

By E-mail:

FMCSA_GrantMgmtHelpdesk@dot.gov, or

By Telephone:

(202) 366-0621

Office hours are from 9 a.m. to 5 p.m., Eastern Time, Monday through Friday, except Federal holidays.

**FMCSA Administrative Capability Questionnaire (Self Certification Form)
For State and Local Governments and Non-Profit Organizations
(Fiscal Year 2017)**

PART I – Contact Information		
1.	Dun and Bradstreet Data Universal Numbering System (DUNS) Number for your Organization	12-052-7275
2.	Organization legal name associated with the DUNS	Iowa Department of Transportation
3.	Address associated with your DUNS Number	800 Lincoln Way Ames, IA 50010-6915
4.	Name of the primary application point of contact (POC) for the information contained in the ACQ	David J. Lorenzen
5.	POC Phone Number	515-237-3215
6.	POC E-mail Address	david.lorenzen@dot.iowa.gov

PART II – General Information and Assurances		
1.	Is your organization in compliance with applicable Anti-Lobbying Policies included in Lobbying Form GG and, if applicable, the SF-LLL Disclosure of Lobbying Activities?	Yes
2.	Have any key personnel listed in the application for your organization been debarred or suspended from participation in Federal assistance programs?	No
3.	Please identify any court judgment, compliance review deficiency, and/or complaint investigation finding relating to Title VI of the Civil Rights Act of 1964 and related Nondiscrimination authorities (to include the Federal-Aid Highway Act of 1973, Title IX of the Education Amendments of 1972, Age Discrimination Act of 1975, Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act of 1990, Executive Order #12898 (Environmental Justice) and Executive Order #13166 (Limited English Proficiency)) within the last five years from the beginning of the Federal fiscal year (October 1) under the announcement in which you are applying.	The Iowa DOT received two Title VI Complaints to investigate during FFY 2016. One complaint was against the Iowa DOT, so it was forwarded to FHWA-Iowa Division office to investigate, as Iowa DOT is unable to investigate complaints on ourselves. The second complaint was dropped due to the complainant's failure to cooperate.
4.	Does your organization maintain a Drug-Free Workplace (41 U.S.C. Sec. 701 et seq.) and implementing regulations (49 CFR Part 32)?	Yes

**FMCSA Administrative Capability Questionnaire (Self Certification Form)
For State and Local Governments and Non-Profit Organizations
(Fiscal Year 2017)**

PART III – Audit History		
1.	Is your accounting system accrual based or cash based?	Cash basis accounting system (with accrual adjustments at year end)
2.	Is your accounting system manual, automated, or a combination?	Cash basis system is automated, accrual system is a combination
3.	Has an audit been performed on the organization's financial statement?	The Department of Transportation is a part of the State of Iowa Comprehensive Annual Financial Report and the State of Iowa Single Audit Report – both are audited by the Iowa State Auditor's Office
4.	What was the audit opinion?	Unqualified opinion for FY 2015 - https://auditor.iowa.gov/sites/default/files/audit_reports/1660-8990-B000_0.pdf
5.	If your organization has expended more than \$500,000 in Federal grant funds within the last year, has OMB A-133 Audit been performed?	Yes, Single Audit for 2015 was completed by state auditors. https://auditor.iowa.gov/sites/default/files/audit_reports/1660-8990-A000.pdf
6.	If yes, were there any findings?	One finding that has been corrected, see page 72 for Schedule of Findings & Questioned Costs for 20.218 National Motor Carrier Safety. https://auditor.iowa.gov/sites/default/files/audit_reports/1660-8990-A000.pdf

**FMCSA Administrative Capability Questionnaire (Self Certification Form)
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(Fiscal Year 2017)**

7.	In no, please explain why an audit was not performed.	N/A
8.	If your organization was subject to any other audits in the last two years (e.g., Office of Inspector General (OIG), programmatic, State) please describe whether or not there were audit findings.	No

PART IV – Administrative Capability			
Instructions: Mark the appropriate box to the right for each item. If your organization meets the requirement, mark the box in the “Yes” column. If your organization does not meet the requirement described, mark the box in the “No/Explain” column. If applicable, provide explanations in the “No/Explain” column or in an attachment.			
Capability Title		Yes	No/Explain
Financial Management (2 CFR Part 200 Subpart E Cost Principles)			
1.	Does your organization provide procedures for determining the reasonableness, allocability and allowability of costs in accordance with the applicable cost principles?	X	
2.	Does your organization provide for effective control and accountability for all grant cash, real and personal property, and other assets?	X	

**FMCSA Administrative Capability Questionnaire (Self Certification Form)
For State and Local Governments and Non-Profit Organizations
(Fiscal Year 2017)**

PART IV – Administrative Capability			
Instructions: Mark the appropriate box to the right for each item. If your organization meets the requirement, mark the box in the “Yes” column. If your organization does not meet the requirement described, mark the box in the “No/Explain” column. If applicable, provide explanations in the “No/Explain” column or in an attachment.			
Capability Title		Yes	No/Explain
3.	Does your organization provide accurate, current, and complete disclosure of the financial results of the financially assisted activities required by the financial reporting requirements of the grant?	X	
4.	Does your organization permit preparation of reports required by the applicable statutes and regulations?	X	
5.	Does your organization permit the documentation of funds to a level of expenditure adequate to establish that funds have not been expended in violation?	X	
6.	Does your organization contain information pertaining to grant awards and authorizations, obligations, unobligated balances, assets, liabilities, expenditures, and income sufficient to identify the source and application of funds provided for financially-assisted activities?	X	
7.	Does your organization have an approved indirect cost rate with the Federal Government that covers the entire proposed period of performance for the grant application?		No, Iowa DOT does not claim indirect costs for federal reimbursement so an indirect cost plan has not been submitted

PART IV – Administrative Capability			
Instructions: Mark the appropriate box to the right for each item. If your organization meets the requirement, mark the box in the “Yes” column. If your organization does not meet the requirement described, mark the box in the “No/Explain” column. If applicable, provide explanations in the “No/Explain” column or in an attachment.			

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Capability Title		Yes	No/Explain
Procurement Standards <u>2 CFR § 200.317 through § 200.326</u> (as applicable to entity type)			
1.	When procuring property, including equipment and services under grants, does your organization's contract administration system thoroughly document and inventory all equipment purchased with grant funds?	X	
2.	Does your organization provide controls to ensure safeguards against loss, damage, or theft of the property?	X	
3.	Does your organization provide adequate maintenance of the property?	X	
4.	Does your organization follow written procurement procedures which (1) avoid unnecessary purchases; (2) provide an analysis of lease and purchase alternatives; and (3) provide a process for soliciting goods and services that maximizes competition to obtain good value?	X	
5.	Does your organization define equipment as property that is non-expendable, tangible personal property having a useful life of more than one year and is an acquisition cost valued at \$5,000 or the lesser of the capitalization level established by the State or local government?	X	Threshold for equipment for DOT is \$500 or more. State of Iowa threshold is \$5,000 or more.

**FMCSA Administrative Capability Questionnaire (Self Certification Form)
For State and Local Governments and Non-Profit Organizations
(Fiscal Year 2017)**

PART IV – Administrative Capability			
Instructions: Mark the appropriate box to the right for each item. If your organization meets the requirement, mark the box in the "Yes" column. If your organization does not meet the requirement described, mark the box in the "No/Explain" column. If applicable, provide explanations in the "No/Explain" column or in an attachment.			
Capability Title		Yes	No/Explain
Personnel			
1.	Does your organization maintain written standards of conduct governing the performance of employees engaged in the award and administration of contracts (e.g., conflict of interest forms)? (2 CFR Part 200.318)?	X	
2.	Does your organization maintain a personnel system which provides for the submission of personnel activity reports on the activities of each employee whose compensation is charged to an assistance agreement? (2 CFR Part 200.430, 2 CFR 225 Appendix B, 8.h.(5) and 2 CFR 230 Appendix B, Section 8.m as applicable)?	X	
3.	Are your organization's fringe benefits applied reasonably and consistently to all grants and identified by individual employee or allotted by a fringe benefit rate?	X	

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(Fiscal Year 2017)

PART IV – Administrative Capability			
Instructions: Mark the appropriate box to the right for each item. If your organization meets the requirement, mark the box in the "Yes" column. If your organization does not meet the requirement described, mark the box in the "No/Explain" column. If applicable, provide explanations in the "No/Explain" column or in an attachment.			
Capability Title		Yes	No/Explain
Sub-Award System (2 CFR §200.92, §200.201)			
1.	Does your organization's sub-award administration system meet Federal requirements?	X	
2.	Does your organization maintain written procedures outlining sub-grantee responsibilities and include clauses required by Federal statute and EO's and their implementing regulations?	X	

PART V - CERTIFICATION AND SUBMISSION

CERTIFICATION OF APPLICANT'S AUTHORIZED REPRESENTATIVE (REQUIRED):

I certify that the statements I have made on this form and all attachments thereto are true, accurate, and complete.

Name David J. Lorenzen


Title Chief

Signature 

Date 08/01/16

Enter State Name: Iowa
Enter Name of Lead MCSAP Agency: Iowa DOT/Motor Vehicle Enforcement
MCSAP MAINTENANCE OF EFFORT (MOE) SUBSTANTIATION TEMPLATE
FEDERAL FISCAL YEAR (FFY): 2015

LEAD AGENCY MCSAP-ELIGIBLE EXPENDITURES for FFY 2015 (October 1, 2014 through September 30, 2015)		FFY 2015 TOTAL MCSAP ELIGIBLE EXPENDITURES ¹
Personnel (Payroll Costs)		
Salary		\$3,565,141.59
Overtime (Allowed Basic and Incentive Funded)		
Other Payroll Costs (<i>describe</i>)		
(Specify)		
Subtotal for Personnel		\$3,565,141.59
Fringe Benefit Costs (Health, Life Insurance, Retirement, etc.)		
IPERS, Health/Life/Dental Insurance, Deferred Comp/		\$759,066.29
Subtotal for Fringe Benefits		\$759,066.29
Program Travel		
Routine MCSAP-related Travel (Lodging/M Meal Allowance)		\$23,122.93
Conference Travel		\$25,785.17
Training Travel		\$1,261.77
(Specify)		
Subtotal for Program Travel		\$50,169.87
Equipment		
Vehicles and Related Vehicle Equipment		
Vehicles (Repair Parts/Supplies/Accessories/Oil Changes/Other Equipment)		\$544,673.56
Other Inspection Vehicle Equipment (Radios, etc.)		
(Specify)		
Subtotal for Vehicles and Related Vehicle Equipment		\$544,673.56
Non-Vehicle Equipment		
Other Equipment (Not included above)		
(Specify)		
Subtotal for Non-Vehicle Equipment		\$0.00
Subtotal for Equipment		\$544,673.56
Supplies		
Office Supplies		\$10,242.37
Uniforms and Other Related Supplies		\$151,155.54
Computers/Printers/Copiers		\$60,932.76
Subtotal for Supplies		\$222,330.67
Contractual (Sub Grantees, Consultant Services, etc.)		
Subtotal for Contractual		\$0.00

Other Expenses	
Training Costs (Tuition, materials, etc.)	\$6,232.50
CVSA Decals	\$3,780.00
Conferences Costs (Registration fees, etc.)	\$6,000.00
CVSA Membership Dues	\$7,900.00
North American Standard OOS Handbooks	\$2,850.00
Fleet Cost (Mileage/Repairs/Fuel)	\$455,189.00
Subtotal for Other Expenses including Training & Conferences	\$481,951.50
TOTAL DIRECT COSTS	\$5,623,333.48
TOTAL APPROVED INDIRECT COSTS	\$0.00
TOTAL MCSAP ELIGIBLE COSTS EXPENDED	\$5,623,333.48
Federal Grant Funds Expended	\$2,038,879.67
Associated State Matching Funds Expended	\$509,720.40
Total Grant Related Funds Expended	\$2,548,600.07
Total MOE Funds Expended	\$3,074,733.41
CERTIFICATION AND VALIDATION OF FFY 2015 MOE EXPENDITURES	
TOTAL MOE BASELINE (MAP-21 Baseline years of 2004 and 2005)	\$747,966.49
TOTAL MOE EXPENDITURES	\$3,074,733.41
<p>I hereby certify as follows that the information included in this template is true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable federal law:</p> <p>(1) The State lead MCSAP agency has validated and met the minimum MOE baseline expenditure amount for FFY 2015.</p> <p>(2) All Lead Agency expenditures included in the template are MCSAP-eligible.</p> <p>(3) Supporting documents are available for review by the Federal Motor Carrier Safety Administration upon request.</p>	
NAME AND TITLE OF STATE OFFICIAL : David J. Lorenzen, Chief 	DATE: August 8, 2016
EMAIL ADDRESS FOR CERTIFYING OFFICIAL: david.lorenzen@dot.iowa.gov	PHONE NUMBER: 515-237-3215

Footnote:

¹ Per MAP-21, only the total MCSAP-eligible expenditures of the State Lead agency in FFY 2015 (10/1/2014 through 9/30/2015) are to be included in the MOE calculation. Do not include MCSAP-eligible expenditures of other State agencies or subgrantees.

FY 2017 Certification of MCSAP Conformance (State Certification)

I, David J. Lorenzen, Chief, on behalf of the State (or Commonwealth) 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, do hereby certify as follows:

1. The State has adopted commercial motor carrier and highway hazardous materials safety regulations, standards and orders that are compatible with the FMCSRs and the HMRs, and the standards and orders of the Federal Government.
2. The State has designated Iowa Department of Transportation as the Lead State Agency to administer the Commercial Vehicle Safety Plan throughout the State for the grant sought and Iowa Department of Public Safety to perform defined functions under the CVSP. The Lead State Agency has the legal authority, resources, and qualified personnel necessary to enforce the State's commercial motor carrier, driver, and highway hazardous materials safety laws, regulations, standards, and orders.
3. The State will obligate the funds or resources necessary to provide a matching share to the Federal assistance provided in the grant to administer the plan submitted and to enforce the State's commercial motor carrier safety, driver, and hazardous materials laws, regulations, standards, and orders in a manner consistent with the approved plan.
4. The laws of the State provide the State's enforcement officials right of entry (or other method a State may use that is adequate to obtain the necessary information) and inspection sufficient to carry out the purposes of the CVSP, as approved, and provide that the State will grant maximum reciprocity for inspections conducted pursuant to the North American Standard Inspection procedure, through the use of a nationally accepted system allowing ready identification of previously inspected CMVs.
5. The State requires that all reports relating to the program be submitted to the appropriate State agency or agencies, and the State will make these reports available, in a timely manner, to the FMCSA on request.
6. The State has uniform reporting requirements and uses FMCSA designated forms for record keeping, inspection, and other enforcement activities.
7. The State has in effect a requirement that registrants of CMVs demonstrate their knowledge of the applicable Federal or State CMV safety laws or regulations.
8. The State must ensure that the total expenditure of amounts of the Lead State Agency will be maintained at a level of effort each fiscal year in accordance with 49 CFR 350.301.
9. The State will ensure that MCSAP funded enforcement of activities under 49 CFR 350.309 will not diminish the effectiveness of the development and implementation of the programs to improve motor carrier, CMV, and driver safety.

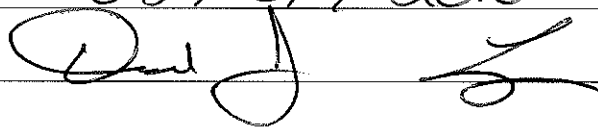
10. The State will ensure that CMV size and weight enforcement activities funded with MCSAP funds will not diminish the effectiveness of other CMV safety enforcement programs.
11. The State will ensure that violation sanctions imposed and collected by the State are consistent, effective, and equitable.
12. The State will (1) establish and dedicate sufficient resources to a program to provide FMCSA with accurate, complete, and timely reporting of motor carrier safety information that includes documenting the effects of the State's CMV safety programs; (2) participate in a national motor carrier safety data correction program (DataQs); (3) participate in appropriate FMCSA systems including information technology and data systems; and (4) ensure information is exchanged in a timely manner with other States.
13. The State will ensure that the CVSP, data collection, and information data systems are coordinated with the State highway safety improvement program under sec. 148(c) of title 23, U.S. Code. The name of the Governor's highway safety representative (or other authorized State official through whom coordination was accomplished) is Roxann M. Ryan.
14. The State has undertaken efforts to emphasize and improve enforcement of State and local traffic laws as they pertain to CMV safety.
15. The State will ensure that it has departmental policies stipulating that roadside inspections will be conducted at locations that are adequate to protect the safety of drivers and enforcement personnel.
16. The State will ensure that MCSAP-funded personnel, including sub-grantees, meet the minimum Federal standards set forth in 49 CFR part 385, subpart C for training and experience of employees performing safety audits, compliance reviews, or driver/vehicle roadside inspections.
17. The State will enforce registration (i.e., operating authority) requirements under 49 U.S.C 13902, 31134, and 49 CFR § 392.9a by prohibiting the operation of any vehicle discovered to be operating without the required registration or beyond the scope of the motor carrier's registration.
18. The State will cooperate in the enforcement of financial responsibility requirements under 49 U.S.C. 13906, 31138, 31139 and 49 CFR part 387.
19. The State will include, in the training manual for the licensing examination to drive a non-CMV and the training manual for the licensing examination to drive a CMV, information on best practices for safe driving in the vicinity of noncommercial and commercial motor vehicles.
20. The State will conduct comprehensive and highly visible traffic enforcement and CMV safety inspection programs in high-risk locations and corridors.

21. The State will ensure that, except in the case of an imminent or obvious safety hazard, an inspection of a vehicle transporting passengers for a motor carrier of passengers is conducted at a bus station, terminal, border crossing, maintenance facility, destination, rest area, or other location where motor carriers may make planned stops (excluding a weigh station).
22. The State will transmit to its roadside inspectors the notice of each Federal exemption granted pursuant to 49 U.S.C. § 31315(b) and 49 CFR 390.32 and 390.25 as provided to the State by FMCSA, including the name of the person granted the exemption and any terms and conditions that apply to the exemption.
23. Except for a territory of the United States, the State will conduct safety audits of interstate and, at the State's discretion, intrastate new entrant motor carriers under 49 U.S.C. § 31144(g). The State must verify the quality of the work conducted by a third party authorized to conduct safety audits under 49 U.S.C. § 31144(g) on its behalf, and the State remains solely responsible for the management and oversight of the activities.
24. The State will fully participate in the performance and registration information systems management program under 49 U.S.C. § 31106(b) not later than October 1, 2020, or demonstrates to FMCSA an alternative approach for identifying and immobilizing a motor carrier with serious safety deficiencies in a manner that provides an equivalent level of safety.
25. In the case of a State that shares a land border with another country, the State may conduct a border CMV safety program focusing on international commerce that includes enforcement and related projects or will forfeit all MCSAP funds based on border-related activities.
26. In the case that a State meets all MCSAP requirements and funds operation and maintenance costs associated with innovative technology deployment with MCSAP funds, the State agrees to comply with the requirements established in 49 CFR 350.319 and 350.329

Date

08 / 01 / 2016

Signature

A handwritten signature in black ink, appearing to be "D. J. [unclear]", written over a horizontal line.

The United States Department of Transportation

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

The Iowa Department of Transportation (herein referred to as the “Recipient”), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the United States Department of Transportation (DOT), through the **Federal Motor Carrier Safety Administration (FMCSA)**, is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 Stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Title IX of the Education Amendments of 1972, as amended, (20 U.S.C. § 1681 *et seq.*), (prohibits discrimination on the basis of sex in education programs or activities);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability);
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 *et seq.*), (prohibits discrimination on the basis of disability);
- 49 C.F.R. part 21 (entitled *Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation—Effectuation Of Title VI Of The Civil Rights Act Of 1964*);
- 49 C.F.R. part 27 (entitled *Nondiscrimination On The Basis Of Disability In Programs Or Activities Receiving Federal Financial Assistance*);
- 49 C.F.R. part 28 (entitled *Enforcement Of Nondiscrimination On The Basis Of Handicap In Programs Or Activities Conducted By The Department Of Transportation*);
- 49 C.F.R. part 37 (entitled *Transportation Services For Individuals With Disabilities (ADA)*);
- 49 C.F.R. part 303 (FMCSA’s Title VI/Nondiscrimination Regulation);
- 28 C.F.R. part 35 (entitled *Discrimination On The Basis Of Disability In State And Local Government Services*);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

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

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

to ensure nondiscrimination against minority populations. Recipients should be aware that certain Title VI matters raise Environmental Justice concerns and FMCSA intends that all Recipients evaluate and revise existing procedures (as appropriate) to address and implement Environmental Justice considerations. See the following FHWA website for more information and facts about Environmental Justice: http://www.fhwa.dot.gov/environment/environmental_justice/index.cfm

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

General Assurances

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

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

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973) by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally-assisted.

Specific Assurances

More specifically, and without limiting the above general Assurances, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted **FMCSA Program**:

1. The Recipient agrees that each “activity,” “facility,” or “program,” as defined in 49 C.F.R. §§ 21.23 (b) and 21.23 (e) will be (with regard to an “activity”) facilitated, or will be (with regard to a “facility”) operated, or will be (with regard to a “program”) conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations;
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with the FMCSA Program and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

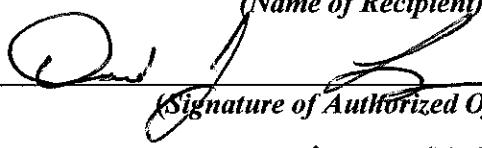
“The Iowa Department of Transportation, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract

entered into pursuant to this advertisement, all contractors will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of the owner's race, color, national origin, sex, age, disability, income-level, or LEP in consideration for an award.”;

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations;
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient;
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith;
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property;
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
 - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, Iowa Department of Transportation also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the **FMCSA** access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the **FMCSA**. You must keep records, reports, and submit the material for review upon request to **FMCSA**, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

Iowa Department of Transportation gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the Department of Transportation under the **FMCSA Program**. This ASSURANCE is binding on [insert State], other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the **FMCSA Program**. The person (s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Iowa Department of Transportation
(Name of Recipient)
by 
(Signature of Authorized Official)
DATED 08/01/16

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Motor Carrier Safety Administration (FMCSA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations as set forth in Appendix E, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 C.F.R. part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor's obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the FMCSA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the FMCSA, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor's noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the FMCSA may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the FMCSA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

APPENDIX B

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW, THEREFORE, the Department of Transportation as authorized by law and upon the condition that the (Title of Recipient) will accept title to the lands and maintain the project constructed thereon in accordance with (Name of Appropriate Legislative Authority), the Regulations for the Administration of **Federal Motor Carrier Safety Administration (FMCSA) Program**, and the policies and procedures prescribed by the FMCSA of the Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, Department of Transportation, subtitle A, Office of the Secretary, part 21, Non-discrimination in Federally-assisted programs of the Department of Transportation 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 (Title of Recipient) 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 (Title of Recipient) 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 (Title of Recipient), its successors and assigns.

The (Title of Recipient), in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP 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 (Title of Recipient) 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 **(Title of Recipient)** pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add “as a covenant running with the land”] that:
 - 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, national origin, sex, age, disability, income-level, 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, **(Title of Recipient)** 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 **(Title of Recipient)** 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 **(Title of Recipient)** 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 **(Title of Recipient)** pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, "as a covenant running with the land") that (1) no person on the ground of race, color, national origin, sex, age, disability, income-level, 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, national origin, sex, age, disability, income-level, 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, **(Title of Recipient)** 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, **(Title of Recipient)** will there upon revert to and vest in and become the absolute property of **(Title of Recipient)** and its assigns.*

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

APPENDIX E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “contractor”) agrees to comply with the following non-discrimination statutes and authorities; including but not limited to:

- Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. § 2000d *et seq.*), (prohibits discrimination on the basis of race, color, national origin), as implemented by 49 C.F.R. § 21.1 *et seq.* and 49 C.F.R. part 303;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601) (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973 (23 U.S.C. § 324 *et seq.*) (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794 *et seq.*) (prohibits discrimination on the basis of disability); and 49 C.F.R. part 27;
- The Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101 *et seq.*) (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982 (Pub. L. 97-248 (1982)), as amended (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987 (102 Stat. 28) (“...which restore[d] the broad scope of coverage and to clarify the application of title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and title VI of the Civil Rights Act of 1964.”);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 -- 12189), as implemented by Department of Justice regulations at 28 C.F.R. parts 35 and 36, and Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. § 1681 *et seq.*).

IOWA LAWS AMENDED IN THE IOWA 2016 GENERAL SESSION

HF 2437

RELATING TO MATTERS UNDER THE PURVIEW OF THE DEPARTMENT OF TRANSPORTATION, PROVIDING FEES, AND MAKING PENALTIES APPLICABLE.

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

DIVISION IV OVERSIZE AND OVERWEIGHT MOTOR VEHICLES

Section 35. Section 321E.7, subsection 1, Code 2016, is amended by adding the following new paragraph:

NEW PARAGRAPH. e. Vehicles operating under a permit issued pursuant to section 321E.8, 321E.9, or 321E.9A may have a gross weight not to exceed forty-six thousand pounds on a single tandem axle of the truck tractor and a gross weight not to exceed forty-six thousand pounds on a single tandem axle of the trailer or semitrailer if each axle of each tandem group has at least four tires.

HF 2356

PROVIDING FOR THE TOWING OF CERTAIN IMPLEMENTS OF HUSBANDRY IN TANDEM AMONG MANUFACTURERS, RETAIL SELLERS, AND FARM PURCHASERS.

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

Section 1. Section 321.383, subsection 1, Code 2016, is amended to read as follows:

1. This chapter with respect to equipment on vehicles does not apply to implements of husbandry, road machinery, or bulk spreaders and other fertilizer and chemical equipment defined as special mobile equipment, except as made applicable in this section. However, the movement of implements of husbandry on a roadway is subject to safety rules adopted by the department. The safety rules shall prohibit the movement of any power unit towing more than one implement of husbandry, except implements of husbandry that are not self-propelled and are capable of being towed in tandem, from the manufacturer to the retail seller, from the retail seller to the farm purchaser, or from the manufacturer to the farm purchaser.

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 2016 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 2016.
- 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 in scope. These two codes and 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 2016 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 Administrative 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-Service 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-1g** Iowa Code section 321.449, paragraph 4 is determined to be incompatible due to language that appears to make drivers responsible for compliance to HOS recordkeeping requirements, rather than the motor carrier. This issue has been discussed and new language is needed to achieve clarity and compatibility.
- 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.



Date September 15, 2015
To Patty King, Office of Finance
From Matt Swanson, External Audits
Subject FY 2016 Fringe Benefit Additive Rate

M. D. 

We have reviewed the mathematical calculations of the proposed FY 2016 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 41.72%. Such rate includes FICA, IPERS, deferred compensation plans and the employer's portion of employee health and life insurance.

We have attached a Simplified Schedule of Fringe Benefit Additive Rate that reflects the calculations provided.

Iowa DOT
Simplified Schedule of Fringe Benefits
FYE June 30, 2015 - Provisional 2016

Expenses	Obj Code	Expense Balances	Auditor Adjustments	Total	Fringe Benefits	Fringe Benefits	Comments
Regular Time		136,412,272		<u>136,412,272</u>			Object 101, 102, 152, 109, 111, 113, 114, 115, 116, 118 & 119
FICA - on All Regular Time	120 & 130	10,827,827		10,827,827	10,827,827	0.0794	
IPERS - on All Regular Time	121 & 131	12,423,288		12,423,288	12,423,288	0.0911	
Deferred Comp - on All Reg. Time	133	1,491,315		1,491,315	1,491,315	0.0109	
Insurance - on All Reg. Time	122 - 125	32,173,164		32,173,164	32,173,164	0.2359	
				0			
				0			
				0			
				0			
				<u>0</u>			
		<u>193,327,866</u>	<u>0</u>	<u>193,327,866</u>	<u>56,915,593</u>	<u>0.4172</u>	

Overhead Rates:

Fringe Benefit Rate	<u>41.72%</u>
Total	<u>41.72%</u>

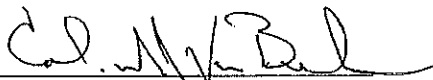
**AGREEMENT BETWEEN
IOWA DEPARTMENT OF TRANSPORTATION
MOTOR VEHICLE DIVISION
AND
IOWA DEPARTMENT OF PUBLIC SAFETY
IOWA STATE PATROL DIVISION**

1. This Agreement is entered by and between the Iowa Department of Transportation (DOT) Motor Vehicle Division (hereinafter Department), and the Iowa Department of Public Safety (DPS) Iowa State Patrol (hereinafter Contractor).
2. The Iowa Department of Transportation is the Lead Agency in the State of Iowa for implementation of the Motor Carrier Safety Assistance Program (MCSAP).
3. The Contractor is a participating agency in the MCSAP and is eligible to receive funds for the performance of approved MCSAP activities. Activities for the current year contract period are identified in the approved "Commercial Vehicle Safety Plan" for the State of Iowa.
4. The Contractor agrees to perform activities in accordance with the standards and procedures approved by the Federal Motor Carrier Safety Administration (FMCSA) as they relate to the performance of Level 2 driver/vehicle and Level 3 driver-only inspections. These must be in accordance with Commercial Vehicle Safety Alliance (CVSA) approved inspection policies and procedures. Any changes in the CVSA approved procedures or out-of-service criteria will be provided to the Contractor by the Department.
5. The effective dates of the Agreement shall be from October 1, 2016 through September 30, 2017.
6. The relationship of the Contractor to the Department shall be that of an independent Contractor, not that of a joint enterpriser. The Contractor shall have no authority to bind the Department for any obligation or expense without prior expressed written approval.
7. The Contractor shall receive thirty-five percent (35%) of approved Grant Agreement. The Department shall reimburse the Contractor at a rate not to exceed eighty-five percent (85%) of approved allocation, as described in the Grant Agreement, with fifteen percent (15%) state match being required by the Contractor.
8. The Contractor budget is described in the Iowa State Patrol Financial Summary section of the 2017 Commercial Vehicle Safety Plan (CVSP), with the Contractor's MCSAP activity and performance requirements described in the National Program Elements Activities section of the plan.
9. The Contractor agrees to adhere to the following procedures when deviations from the approved line item budget are anticipated to occur:
 - a. All requests for revisions to the line item budget must be submitted in writing to the Department. The request will show clearly the effect of the revision on all budget categories.
 - b. Any revisions to the line item budget which increase or decrease by ten percent or more the amount budgeted for a line item category, or involve funds budgeted for officer training, will require an amended agreement between the Department and the Contractor and approval by FMCSA.

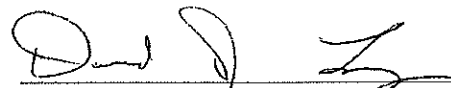
10. The Contractor will submit a Performance Progress Report to the Department no later than the 10th day of the month following the end of the quarter. The Contractor agrees to submit all information requested by the Department.
11. The Contractor will be responsible for follow-up requirements of the inspection program, including participation in the FMCSA Data Quality program and responding to inquiries relating to inspections performed.
12. The Contractor will comply with all requirements imposed by the FMCSA and the Department concerning special requirements of law, program requirements, and other administrative requirements.
13. The Contractor will initiate reimbursement proceedings by submitting a monthly reimbursement invoice to the Department. Invoices received after the 10th of each month may not be processed until the following month. All claims must be based on actual costs.
14. The Contractor must maintain a financial management system which records all grant-related costs following generally accepted accounting procedures. Adequate documentation for all contract costs must be maintained.
15. The Contractor will comply with Office of Management and Budget (OMB) Circular A-87, "Cost Principles Applicable to Grants and Contracts with State and Local Governments." This circular establishes principles and standards for determining costs applicable to grants, contracts, and other agreements with state and local governments and federally recognized Indian tribal governments.
16. The Contractor will comply with 49 CFR, Part 18, which is the adoption of OMB Circular A-102 by the United States Department of Transportation (USDOT), which is incorporated herein as fully set out. Title 49 CFR, Part 18, is referred to as the Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
17. The Contractor will adhere to its own procurements, regulations, and procedures which reflect applicable state and local laws, rules, and regulations provided such regulations and procedures meet the minimum standards required for procurements made with federal funds. These minimum standards are included in the "Procurement Standards" of OMB Circular A-102, "Uniform Administrative Requirements for Assistance to State and Local Governments" as adopted by the USDOT as 49 CFR, Part 18.
18. The Contractor will comply with the provisions of the OMB Circular A-102, "Uniform Administrative Requirements for Assistance to State and Local Governments" (as adopted by the USDOT as 49 CFR, Part 18) as it pertains to using, maintaining, and disposing of equipment and supplies purchased with MCSAP funds. The Contractor will submit to the Department, within 120 days of the end of the current Agreement period, an inventory report of all equipment and/or non-expendable personal property purchased with funds provided through the MCSAP. The report will reflect all equipment purchased since the beginning of participation in the MCSAP and not just equipment purchased during the current Agreement year. The report will contain, as appropriate, the following information:
 - a. Description of the equipment and/or non-expendable personal property
 - b. Manufacturer's serial number
 - c. Model number
 - d. Source (vendor)

- e. Acquisition date
 - f. Total cost
 - g. Unit cost
 - h. Location of equipment
 - i. Use of equipment
 - j. Current assignment (person to whom equipment is assigned)
20. As a recipient or subrecipient of federal financial assistance, the Contractor is required to have an audit made in accordance with the provisions of the OMB Circular A-133. This circular serves as implementation of the Single Audit Act of 1984 (P.L. 98-502).
21. The Contractor agrees that the Department, the United States Department of Transportation, Federal Motor Carrier Safety Administration and/or the Comptroller General of the United States, the Auditor of the State of Iowa, or any of their duly authorized representatives, may have access for purposes of audit and examination to any book, document, papers, or records maintained by the Contractor pertaining to this Agreement; and the Department further agrees to maintain such books and records for the period of three years after the date of submission of the final expenditure report. If any litigation, claim, negotiation, audit, or other action involving the records has been started before the expiration of the three-year period, the records shall be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular three-year period, whichever is later. If state or local law requires a longer period of retention, access to the records will be allowed for purposes of audit.
22. It is understood and agreed upon that, in the event funds from state and/or federal sources are not appropriated and continued at an aggregate level sufficient to cover the Contractor costs, or in the event of a change in federal or state laws relevant to these costs, the obligations of each party hereunder shall thereupon be terminated immediately upon receipt of written notice.
23. The Department may cancel the Agreement at any time for breach of contractual obligations by providing the Contractor with a written notice of cancellation. Should the Department exercise its right to cancel the Agreement for such reasons, the cancellation shall become effective on the date as specified in the notice of cancellation sent to the Contractor.
24. The Agreement shall not bind or purport to bind the Department for any contractual commitment in excess of the original period. The Department shall have the right, at its sole discretion, to review the Agreement on a year-to-year basis.
25. The Contractor agrees that funding received as a result of this Agreement shall be expended only to further the purposes and activities for which this Agreement has been written, and shall not be used to supplement existing appropriations.
26. The Contractor agrees to notify the Department in writing of personnel changes funded through this contract. The positions or job classification titles for each position are identified. Any changes in the number of positions funded or the percent of time devoted to the project must be approved in advance by the Department.

27. The Contractor hereby agrees that as a condition of receiving Federal Financial Assistance from the Department of Transportation, they will comply with Title VI of the Civil Rights act of 1964 *78 stat.252, 42 U.S.C.200d) related to non-discrimination statues (i.e. we U.S.C. 324, Section 504 of the Rehabilitation act of 1973 as amended, and the Age Discrimination Act and applicable regulatory requirements to the end that no person in the United States shall, on the grounds of race, color, national origin, sex, handicap or age be excluded from participation in, being denied the benefits of, or otherwise be subjected to discrimination under any program or activity for which the contractor receives federal financial assistance. The specific requirements of the United States Department of Transportation Standard Civil Rights assurances (required by 49 CFR 21.7 and or file with the U.S. DOT are incorporated in this agreement.
28. The Contractor further agrees that its own employment policies and practices will be without discrimination based on race, color, religion, sex, national origin, handicap or age, and that it has or will develop and submit to the Department an Affirmative Action Plan consistent with the Uniform Guidelines on Employee Selection Procedures 29 CFR 1607 and the Affirmative Action Guidelines, 29CFR108. The Contractor agrees to submit a copy of the Affirmative Action Plan to the Department upon request. A plan that is consistent with the guidelines on Employee Selection Procedures (29 CFR 1607) and Affirmative Action Guidelines (29 CFR 608 or 23 CFR 230, Sub Part C will meet these requirements.


Michael J. Van Berkum, Colonel
Iowa State Patrol
Iowa Department of Public Safety

07-28-2016
Date


David J. Lorenzen, Chief
Motor Vehicle Enforcement
Iowa Department of Transportation

07-28-2016
Date



U.S. Department
of Transportation

Federal Motor Carrier
Safety Administration

AUG 09 2016

1200 New Jersey Avenue, SE
Washington, DC 20590

In Reply Refer To: MC-CR
FY 2017 Pre-Award IADOT

Mr. Paul Trombino, III, Director
Iowa Department of Transportation
800 Lincoln Way
Ames, IA 50010

Dear Mr. Trombino:

We are in receipt of the Iowa Department of Transportation's (DOT) Federal Motor Carrier Safety Administration (FMCSA) Title VI Program Compliance Plan. While the Title VI Program Compliance Plan is not a FMCSA Notice of Funding Availability (NOFA) Title VI Program requirement for Fiscal Year (FY) 2016, it will be an FMCSA NOFA Title VI Program requirement for FY 2017. FMCSA's Office of Civil Rights is using FY 2016 to work with all FMCSA Grant Applicants to ensure that each Grant Applicant has an approved FMCSA Title VI Program Compliance Plan for FY 2017.

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. 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.



Regarding the future use of the Title VI Program Compliance Plan, the Iowa DOT will be ready to submit the approved Plan with the applicable FY 2017 FMCSA Grant NOFA at the appropriate time. The only update that will be necessary to the approved Title VI Program Compliance Plan will be to update the signature and date on the Policy Statement and Assurance and include any procedural changes that may have taken place in the interim.

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,


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

Cc: Karen Kienast, Civil Rights Coordinator, Iowa DOT
Mark Lowe, 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

January 1, 2016

Paul Trombino III
Director

Mark Lowe
Director, Office of Vehicle and Motor Carrier Services

Todd Sadler
Director, Office of Employee Services

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 Motor Carrier Safety Administration (FMCSA); Federal Highway Administration (FHWA); Federal Transit Administration (FTA) and Federal Aviation Administration (FAA) require recipients of Federal-Aid Funds to prepare plans to clarify roles, responsibilities, and procedures established to ensure compliance with Title VI of the Civil Rights Act of 1964 and of the signed Standard Assurances incorporated in this document.

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.

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

Paul Trombino, III
Director, Iowa Department of Transportation

07/25/2016
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

Staffing

The responsibility for the direction and implementation of the Iowa DOT's 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 department-wide 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's Director on Title VI/Nondiscrimination issues. The Coordinator is under the direct supervision of the Director of the Office of Employee Services (OES). The Office of Motor Vehicle Enforcement has a Title VI program area coordinator.

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 coordinators.
- Collect statistical data (race, color, sex, and national origin) of participants in, and beneficiaries of state highway and enforcement programs.
- 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 plans 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's compliance with the federal Civil Rights programs that highway contractors, consultants and sub-recipients must comply with. The Title VI 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, Emerging Small Business (ESB) and Small Business Contracts (SBC) Supportive Services Programs.
- Ensure proper DBE, ESB 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, works 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's Program Offices 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 prepare 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 Members

Last Name	First Name	Office	Email Address	Phone #
Apatiga	Daniel	Support Services	daniel.apatiga@dot.iowa.gov	515-239-1627
Bortle	Mark	Construction & Materials	mark.bortle@dot.iowa.gov	515-239-1587
Dostart	John	Local Systems	john.dostart@dot.iowa.gov	515-239-1051
Haar	Kristin	Public Transit	kristin.haar@dot.iowa.gov	515-233-7875
Hjelmstad	Pete	District 2	peter.hjelmstad@dot.iowa.gov	641-422-9459
Hofer	Brad	Location & Environment	bradley.hofer@iowa.gov	515-239-1787
Holm	Mark	Right of Way	mark.holm@dot.iowa.gov	515-239-1551
Kasper	Ed	Contracts	edward.kasper@dot.iowa.gov	515-239-1414
Loonan	Andy	District 1	andy.loonan@dot.iowa.gov	515-239-1996
Maifield	Deanna	Design	deanna.maifield@dot.iowa.gov	515-239-1505
Novey	Gary	Bridges & Structures	gary.novey@dot.iowa.gov	515-239-1233
Nguyen	Mindi	MVD/OVS	mindi.nguyen@dot.iowa.gov	515-237-3108
Pedersen	Garret	Systems Planning	garret.pedersen@dot.iowa.gov	515-239-1210
Schultz	Dakin	District 3	dakin.schultz@dot.iowa.gov	712-276-1451
Shea	Sam	District 6	sam.shea@dot.iowa.gov	319-364-0235
Suhr	Scott	District 4	scott.suhr@dot.iowa.gov	712-243-7627
VanBuskirk	Christy	District 5	christy.vanbuskirk@dot.iowa.gov	641-469-4017
Younie	Bob	Maintenance	bob.younie@dot.iowa.gov	515-239-1589
DOT STAFF SUPPORT				
Kerber	Steve	OES – Title VI Specialist	steve.kerber@dot.iowa.gov	515-239-1483
Kienast	Karen	OES-Civil Rights Coordinator DOT Title VI Coordinator	karen.kienast@dot.iowa.gov	515-233-7970
Miskimins	Jacqui	OES-External Civil Rights	jacqueline.miskimins@dot.iowa.gov	515-239-1304
Muxfeldt	Margaret	OES-DBE Compliance Officer	margaret.muxfeldt@dot.iowa.gov	515-239-7970
Rainey	Nikita	OES – Title VI Specialist	nikita.rainey@dot.iowa.gov	515-239-1304
Torres-Cacho	Hector	OES – DBE Compliance Officer	hector.torres-cacho@dot.iowa.gov	515-239-1833

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 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, should such plan be in place.

Deliverables and Target Completion Dates

- Meeting agenda 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.

SECTION 3

IMPLEMENTATION PROCEDURES

Program Administration — General

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

A. Complaints and Disposition

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. Complaint forms, instructions and general information about the complaint process is available on the DOT's website or upon request.

The Iowa DOT OES-CRT maintains the complaint log and a file that includes at minimum the following: 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 will be gathered and maintained for the Iowa DOT by OES-CRT. 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. Title VI Reviews of Sub-recipients

It is the responsibility of the OES-CRT to conduct compliance reviews of sub-recipients of federal financial assistance. A process for reviewing and monitoring sub-recipient(s) awarded FMCSA funds by the Iowa DOT/Office of Motor Vehicle Enforcement will be developed and implemented on or before October 1, 2017.

Sub-recipient(s) will be required to provide signed Title VI Assurances, updated annually and a signed Policy Statement, also updated annually.

Sub-recipient(s) will develop a Title VI Program/Plan to include, at minimum:

- 1). a description of the program for which they are receiving funds
- 2). a description or copy of the notification of Title VI rights provided to their beneficiaries/participants
- 3). a description of their complaint disposition process
- 4). a disclosure of any corrective action required to address previously identified deficiencies, and status of those actions (if any)

5). a summary of Title VI training provided by the sub-recipient, frequency with which such training is provided; to whom the training is provided and a description of the content of the training.

6). a commitment to provide access to all records related to effective implementation of the Title VI program to the Iowa DOT.

An on-site Title VI Compliance Review will be conducted on a triennial basis, beginning in federal fiscal year 2018. The Iowa DOT Civil Rights team will develop an appropriate monitoring tool and conduct the onsite review.

D. Training Programs

Title VI Training:

Title VI training is currently provided to all new employees of the Iowa DOT through our New Employee Orientation program. Title VI specific training will be developed and presented to Iowa DOT special emphasis program areas and employees. These training components will be developed utilizing job specific considerations. Title VI specific training will be provided in alternating years, beginning in FFY 2017. This Title VI specific training will be supplemented with a refresher course during the even numbered year. The Office of Employee Services is responsible for development and presentation of training, in consultation with the Civil Rights Committee and program specific liaisons.

The following training is currently provided specifically to MVE officers:

New Officer Training includes:

- Achieving Effective Communication
- Valuing Diversity
- ADA/EEO-AA
- New Employee Orientation
- Iowa Law Enforcement Academy Curriculum

Annual In-Service Training for all Officers includes:

- Face 2 Face Communication
- Adapting to Change
- Incident Command System
- Behavior Based Safety

New Supervisor Training includes:

- Diversity for Managers
- Valuing Diversity
- Business and Organizational Ethics
- EEO/AA: Making the Most of the Workforce

In-Service Supervisor Training:

- Supervisor Diversity Summit
- Face 2 Face Communication
- Leadership for Change
- Leadership/Management: Understanding Generational Differences

E. Access to Records

The Offices of Motor Vehicle Enforcement and Motor Vehicle Services provide quarterly and annual activity reports to FMCSA as required. Additionally, all other records and documentation are available to FMCSA staff upon request.

F. Notification to Beneficiaries and/or Participants

The Offices of Motor Vehicle Enforcement and Motor Vehicle Services will provide written documents including, but not limited to: Plans, Reports, pamphlets, brochures via printed materials available on site and on the Iowa DOT's website. Information provided to the Public will include notification of the Department's obligations under Title VI as well the protections against discrimination afforded to the Public pursuant to these Title VI Program requirements.

Notification to the Public shall include the following at a minimum:

- A statement that the Iowa Department of Transportation operates its programs without regard to: race, color, national origin, sex, age, disability. Income- level or limited English proficiency (LEP).
- Procedures to be followed by the Public to request additional A information regarding the Iowa Department of Transportation's Non-Discrimination obligations
- Procedures for the Public to file a discrimination complaint, including the name of the current contact representative; with mailing address, telephone number and email address.

F. Status of Corrective Actions:

No Federal Agency has conducted a Title VI Program compliance review of the Iowa DOT. As such, there have been no finding(s) of non-compliance or deficiency and no corrective action plan required or implemented.

SECTION 4

PROGRAM ADMINISTRATION

Discription of Fedral Aid Programs

Office of Motor Vehicle Enforcement

The Office of Motor Vehicle Enforcement enforces vehicle laws, rules and regulations necessary to ensure preservation of the highway system, enhance highway safety, assist and protect the public and promote cooperation and education of other governmental agencies, transportation industry and the general public. This includes commercial motor vehicle and driver inspections, industry educational outreach, and enforcement of size, weight, travel authority, fuel and registration laws.

Assurance Activities

- Enforcement and investigative functions must be carried out in an equitable fashion.
- Efforts will be made to accommodate persons with limited English proficiency.

Administration

In addition to the program mission as 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.
- Ensure publications and other information disseminated to the public includes Title VI policy reference.

Office of Motor Vehicle Services

MVD Customer Service, Continuing Education:

MVD strives to continue customer service education. From classroom education, webinars, Prezi presentations, or Yammer posts, MVD strives to bring awareness about how to fairly serve every customer, regardless of his/her circumstance. Equality is a goal that continues to be addressed. We have specific training for specific customers (foreign national document awareness for issuance transactions, LEP education, Senior Sensitivity Training, Verbal Judo (how to respectfully de-escalate heated customer interactions), Cultural sensitivity training) but we also continue to develop general

customer service training. This includes how to professionally respond to e-mail requests, phone requests, in-person requests and will involve all MVD employees.

Limited English Proficiency (LEP)

MVD has been very deliberate with continuing education in regards to the LEP community. Our focus is on: external community outreach and continuing education. We participate in cultural events (e.g. Latino Heritage Festival) for community outreach and awareness. We are further developing plans to engage the LEP student community by working with colleges and universities to best assist foreign national and LEP students. Additionally, MVD is networking to expand its participation in the LEP community, a goal for SFY 2016 goals. An additional goal is to update the foreign language driver services manuals and to expand documents and resources to be available in foreign languages.

Internally, we provide continuing education. We hosted a DL Statewide Conference in October of 2015, inviting all state and county DL employees to attend. We had a speaker discuss LEP awareness and what it means to provide customer service to this community. She discussed how MVD contracts a service, CTS Language Link, to provide translation services for MVD. Training was provided on how and when to use this service. Additionally, follow up communication was sent to the entire division to refresh the use of this service. 'Point to your Language' documents are also present at issuance stations and our OVMCS counter to assist the LEP community. We have provided training to employees on how to recognize when a translator is needed and how to respectfully engage any customer, but specifically LEP customers.

Low Income Status (LIS)

MVD is networking to develop relationships with organizations who serve LIS communities. Discussions on how to best serve this community and what accommodations can be made are a top priority. The placement of the Kiosks took LIS communities into consideration, specifically their placement in accessible public locations (e.g. the library). MVD has also used our DOT2GO RV to be stationed in or near LIS communities for DL issuance which includes LIS and senior adult communities. Discussion and plans to implement further resources to the LIS community is a SFY 2016 goal.

Human Trafficking Campaign

MVE continues to be involved with multiples organizations to help combat Child/Adult Commercial Sexual Exploitation in Iowa. Educational materials are provided to the community by Trucks Against Trafficking at issuance stations and all rest areas/major truck stops throughout Iowa. Educational presentations are given throughout the country. Additionally, MVE provides annual training to staff.

Bureau of Investigation and Identity Protection

Continues to participate in community outreach events such as Latino Fest to bring awareness about the services that they offer, one of which is assisting identity theft victims. The Bureau continues to work with the Latino community leaders in helping

victims in their community to come forward and report crimes related to MV transactions and identity theft. A goal is to expand their reach beyond just the Latino community and assist other communities in need.

SECTION 5

ATTACHMENTS

The United States Department of Transportation

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

The Iowa Department of Transportation (herein referred to as the “Recipient”), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the United States Department of Transportation (DOT), through the **Federal Motor Carrier Safety Administration (FMCSA)**, is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Title IX of the Education Amendments of 1972, as amended, (20 U.S.C. § 1681 *et seq.*), (prohibits discrimination on the basis of sex in education programs or activities);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability);
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 *et seq.*), (prohibits discrimination on the basis of disability);
- 49 C.F.R. Part 21 (entitled *Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation—Effectuation Of Title VI Of The Civil Rights Act Of 1964*);
- 49 C.F.R. Part 27 (entitled *Nondiscrimination On The Basis Of Disability In Programs Or Activities Receiving Federal Financial Assistance*);
- 49 C.F.R. Part 28 (entitled *Enforcement Of Nondiscrimination On The Basis Of Handicap In Programs Or Activities Conducted By The Department Of Transportation*);
- 49 C.F.R. Part 37 (entitled *Transportation Services For Individuals With Disabilities (ADA)*);
- 49 C.F.R. Part 303 (FMCSA’s Title VI/Nondiscrimination Regulation);
- 28 C.F.R. Part 35 (entitled *Discrimination On The Basis Of Disability In State And Local Government Services*);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

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

Although not applicable to Recipients directly, there are certain Executive Orders and relevant guidance that direct action by Federal agencies regarding their federally assisted programs and activities to which compliance is required by Recipients to ensure Federal agencies carry out their responsibilities. Executive Order 12898, 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 FMCSA intends that all Recipients evaluate and revise existing procedures (as appropriate) to address and implement Environmental Justice considerations. See the following FHWA website for more information and facts about Environmental Justice: <http://www.fhwa.dot.gov/environment/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, national origin, sex, age, disability, low-income, or LEP be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from DOT, including the FMCSA.”

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973) by restoring the broad, institutional-wide scope and coverage of these non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally-assisted.

Specific Assurances

More specifically, and without limiting the above general Assurances, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted **FMCSA Program**:

1. The Recipient agrees that each “activity,” “facility,” or “program,” as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an “activity”) facilitated, or will be (with regard to a “facility”) operated, or will be (with regard to a “program”) conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations;
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection

with all Federal Highway Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

“The Iowa Department of Transportation, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, all contractors will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of the owner’s race, color, national origin, sex, age, disability, income-level, or LEP in consideration for an award.”;

3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations;
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient;
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith;
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property;
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
 - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.


9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the Iowa Department of Transportation also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the **FMCSA** access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by the **FMCSA**. You must keep records, reports, and submit the material for review upon request to **FMCSA**, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

Iowa Department of Transportation gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the Department of Transportation under the **FMCSA Program**. This ASSURANCE is binding on [insert State], other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the **FMCSA Program**. The person (s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

Iowa Department of Transportation

by



Paul Trombino, III, Director

DATED _____ July 25, 2016 _____

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “contractor”) agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Motor Carrier Safety Administration (FMCSA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations as set forth in Appendix E, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 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, national origin, sex, age, disability, income-level, or LEP.
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the FMCSA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the FMCSA, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor’s noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the FMCSA may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. canceling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant

thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the FMCSA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

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 Motor Carrier Safety Administration (FMCSA) Program**, and the policies and procedures prescribed by the **FMCSA** of the Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the Department of Transportation 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 the 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, national origin, sex, age, disability, income-level, or LEP 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 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add “as a covenant running with the land”] that:
 - 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, national origin, sex, age, disability, income-level, 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, the 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 the Iowa Department of Transportation pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, “as a covenant running with the land”) that (1) no person on the ground of race, color, national origin, sex, age, disability, income-level, 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, national origin, sex, age, disability, income-level, 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, the Iowa Department of Transportation 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.)

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), as implemented by 49 C.F.R. § 21.1 *et seq.* and 49 C.F.R. § 303;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (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, (102 Stat. 28.), (“....which restore[d] the broad scope of coverage and to clarify the application of title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and title VI of the Civil Rights Act of 1964.”);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 -- 12189) as implemented by Department of Justice regulations at 28 C.F.R. parts 35 and 36, and Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures non-discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 Fed. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. 1681 *et seq.*), as implemented by 49 C.F.R. § 25.1 *et seq.*

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 DOT'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 DOT. 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), 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 DOT 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, Federal Transit Administration, Federal Aviation Administration or Federal Motor Carrier Safety Administration.

Intimidation or retaliation is prohibited per Title 49, CFR 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, Iowa Civil Rights Commission (ICRC), Equal Employment Opportunity Commission (EEOC), U.S. Dept. of Transportation (USDOT), Federal Highway Administration (FHWA), Federal Transit Administration (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, sex, age, disability, low income status, or limited English

proficiency, has the right to file a complaint with the Iowa DOT's 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:

Iowa Department of Transportation
Office of Employee Services – Civil Rights
800 Lincoln Way
Ames, Iowa 50010
(515) 239-1399

Roles and Responsibilities

- The Office of Employee Services Director, Civil Rights Coordinator and External Civil Rights Administrator have overall responsibility for the discrimination complaint process and procedures.
- The Office of Employee Services Director, Civil Rights Coordinator, External civil Rights Administrator, Title VI Specialists and Civil Rights Committee Members serve as points of contact statewide for the public to initiate complaints of discrimination.
- The Civil Rights Coordinator, External Civil Rights Administrator and/or Title VI Specialists are 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

APPLICABILITY

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

ELIGIBILITY

Any person who believes that he/she has been excluded from participation in or denied benefits or services of any program or activity administered by the Iowa DOT or its sub-recipients, consultants, and contractors on the basis of race, color, national origin, sex, age, disability, low income status or limited English proficiency may bring forth a discrimination complaint under Title VI, Title II and related statutes.

TIME LIMITATIONS AND FILING OPTIONS

Title VI complaints of discrimination may be filed with:

- The Iowa DOT - Office of Employee Services - Civil Rights
- Federal Highway Administration
- Federal Transit Administration
- U.S. Department of Transportation
- Iowa Labor Services Divisio
- Federal Motor Carrier Safety Administration

In all situations, Iowa Department of Transportation Civil Rights staff must immediately forward Title VI discrimination complaints to either the FHWA or the 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
- The date on which conduct was discontinued if there's been a continuing course of conduct.

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.

COMPLAINT BASIS

Allegations must be based on issues involving race, color, national origin, sex, age, disability, low income status, or limited English proficiency. 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 person's 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,	Visual impairment, hearing

	permanent or temporary or perceived.	impairment, mobility limitations
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 of transportation decision-making because of their socio-economic status.

Complaint Procedures

1. INITIAL CONTACT

The Office of Employee Services Director, Civil Rights Coordinator, External Civil Rights Administrator, Title VI Specialists and Civil Rights 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 “Title VI and You” and/or “Title VI sub-recipient guide to implementing Title VI of the Civil Rights Act of 1964.”

2. THE COMPLAINT REVIEW PROCESS – Title VI

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.

- A. 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:
 - a. The complaint is withdrawn.
 - b. The complainant fails to provide required information after numerous requests.
 - c. The complaint is not timely filed.
 - d. 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 office. The letter will inform them that a complaint was filed and 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. The Civil Rights Coordinator is appointed by the Director of the Office of Employee Services who reports to the Operations and Finance Division Director who reports directly to the Director of the Iowa DOT.

3. THE COMPLAINT REVIEW PROCESS – Title II

- 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 or program office, upon receipt of an ADA-related work request, will direct it to the respective District Maintenance Manager for action. District and county offices may receive a work request to perform a modification of some part of Iowa DOT's facilities that, currently, do not meet ADA guidelines. The District Maintenance Manager will log in the request in its "normal work request" system. The "work request" shall be marked that it is ADA-related.
- C. If 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 Project Delivery Bureau Director for a determination. A modification can be determined to be an undue financial burden and, therefore, not be provided. But, consideration of all reasonable alternatives must be exhausted and a detailed cost estimate must be made and kept on file. Complaints may be received by phone, fax, 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 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

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

3. INVESTIGATION REPORTING PROGRESS – Title VI

- A. 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 Division Director for review.
- B. The Operations and Finance Division Director reviews the file and investigative report. Subsequent to the review, the Civil Rights Coordinator makes a recommendation and prepares a final decision letter for review and signature for the Operations and Finance Division Director.
- C. 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.

D. The Civil Rights Team maintains a master complaint log.

4. INVESTIGATION REPORTING PROGRESS – Title II

- A. Within 15 calendar days of receiving the complaint, the ADA Coordinator or his/her designee will meet with the complainant to discuss the complaint and the possible resolutions.
- B. Within 15 calendar days of the meeting, the ADA Coordinator or his/her 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.
- C. 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 Project Delivery Bureau Director.
- D. Within 15 calendar days after receipt of the appeal, the Project Delivery Bureau Director or his designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Project Delivery Bureau Director or his designee will respond in writing, and where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

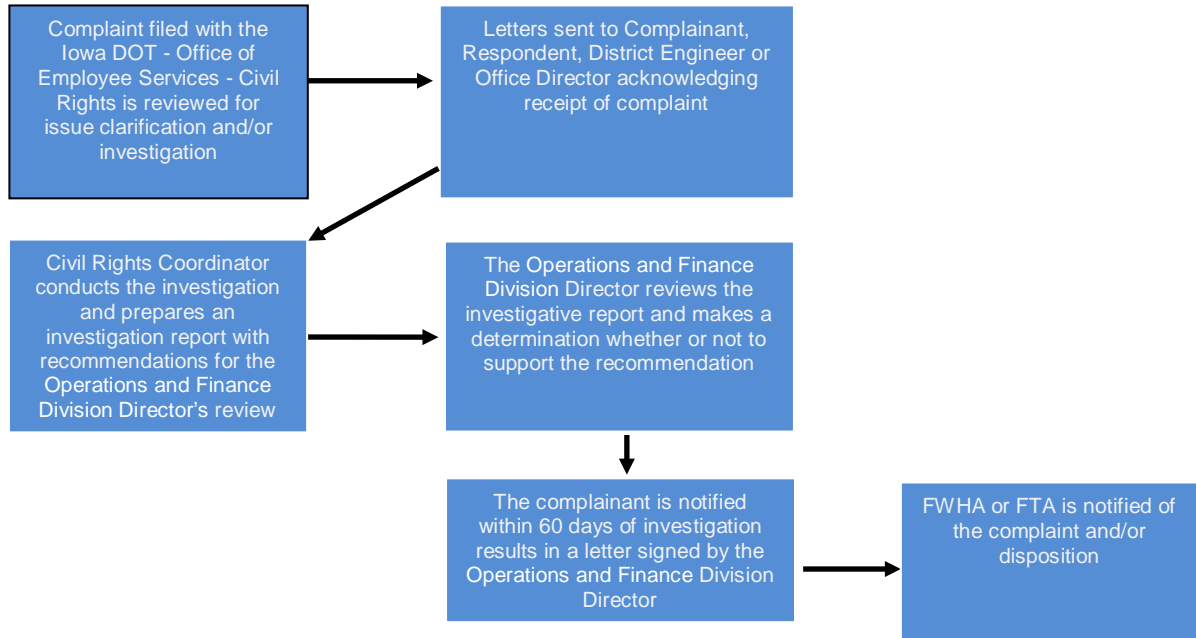
Reporting Requirements

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.

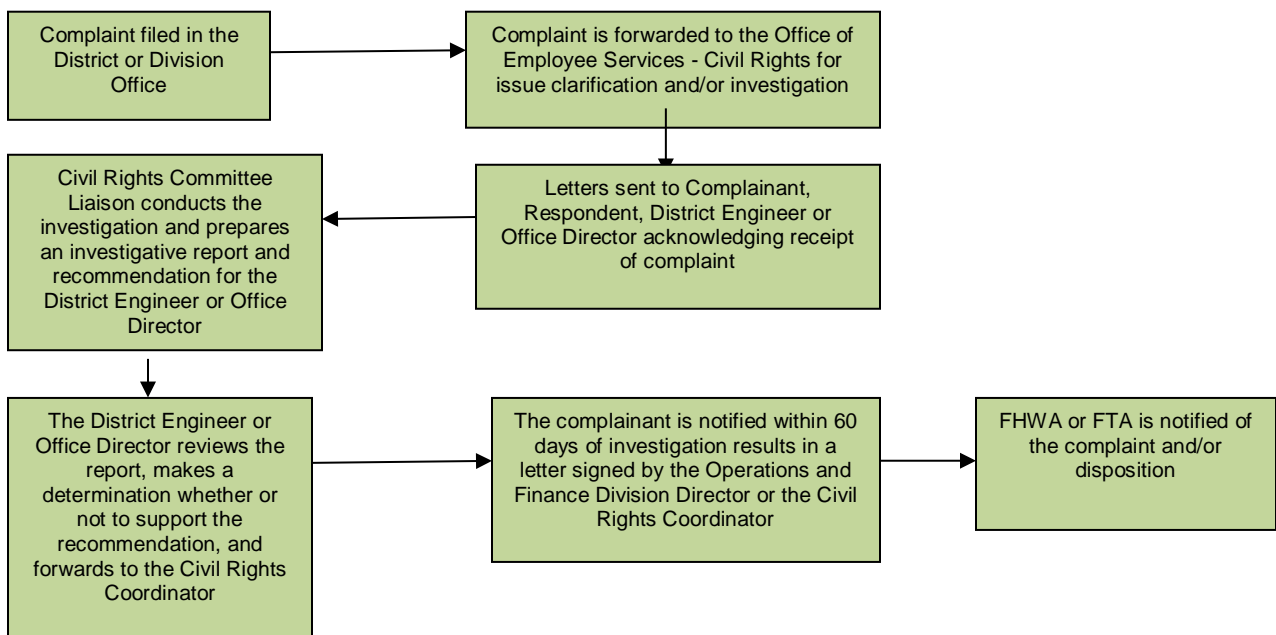
Records

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, denied the benefits of, or 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, denied the benefits of, or 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, denied the benefits of, or 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, denied the benefits of, or 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, denied the benefits of, or subjected to discrimination under any program or activity receiving federal assistance.


Executive Order 12898:

Executive Order 12898 regards federal actions to address Environmental 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 VI Program PPM 300.05

Title Title VI Program		Policy No. 300.05
Responsible Office Office of Employee Services		Related Policies and Procedures 230.03, 300.18
Effective/Revision Dates 5-24-1976/4-20-2011	Approval(s) 	

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.

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 74087-74100

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 Iowa DOT 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 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. 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.

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

www.doleta.gov/reports/CensusDatawww.lep.gov

Annual Certification of Compatibility

In accordance with 49 CFR, Parts 350 and 355, as Chief of Motor Vehicle Enforcement for the Iowa Department of Transportation, the State of Iowa, I do hereby certify the State of Iowa's compatibility with appropriate parts of the Federal Motor Carrier Safety Regulations (FMCSR) and the Federal Hazardous Material Regulations (FHMR) as follows:

Interstate Motor Carriers

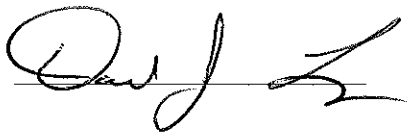
Compatible

Intrastate Motor Carriers

Incompatible, exceptions noted in the August 2008 MCSAP Review.

See Regulatory Attachment A on the incompatibilities and progress being made regarding resolution.

Dated this 1st day of August 2016

A handwritten signature in black ink, appearing to read "David J. Lorenzen", written over a horizontal line.

David J. Lorenzen, Chief
Office of Motor Vehicle Enforcement

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 2016 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 2016.
- 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 in scope. These two codes and 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 2016 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 Administrative 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-Service 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-1g** Iowa Code section 321.449, paragraph 4 is determined to be incompatible due to language that appears to make drivers responsible for compliance to HOS recordkeeping requirements, rather than the motor carrier. This issue has been discussed and new language is needed to achieve clarity and compatibility.
- 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.