



Rhode Island Department of Revenue
Division of Motor Vehicles

Title VI Program Compliance Plan

Part I - Policy Statement

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq., and the regulations promulgated in 49 CFR Part 21 and 49 CFR Part 303, ("Title VI") prohibit discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. The Rhode Island Department of Revenue, Division of Motor Vehicles (the "RIDMV") adopts this Title VI Program Compliance Plan as part of its commitment to comply with its obligations under Title VI and related Nondiscrimination authorities.

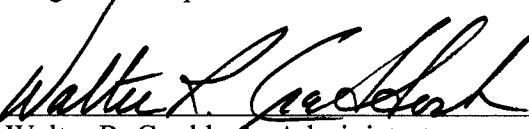
The policy of the RIDMV is to ensure that no person or group of persons shall, on the grounds of race, color, national origin, sex, age, disability, low-income, or limited English proficiency ("LEP"), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity administered by the RIDMV, in accordance with the Title VI Program Assurances set forth in Part II.

To ensure compliance with Title VI Program requirements, the Director of the Rhode Island Department of Revenue has designated Heather Martino, Esq., the Deputy Director of the Rhode Island Department of Revenue, as the Title VI/Nondiscrimination Coordinator. (See September 15, 2015 Memorandum attached as Appendix A.)

Following is the contact information for the RIDMV Title VI/Nondiscrimination Coordinator:

Heather Martino, Title VI/Nondiscrimination Coordinator
Rhode Island Department of Revenue
One Capitol Hill
Providence, RI 02908
Phone: 401-574-9907
Email: Heather.Martino@revenue.ri.gov

As Administrator of the RIDMV, I certify that the RIDMV Title VI/Nondiscrimination Coordinator and the RIDMV have the responsibility and authority to effectively implement the RIDMV's Title VI Program Compliance Plan.



Walter R. Craddock, Administrator
Rhode Island Department of Revenue, Division of Motor Vehicles

Dated 9/14/16

Part II – FMCSA Title VI Program Assurance

The RIDMV executed the United States Department of Transportation Standard Title VI/Non-Discrimination Assurances, DOT Order No. 1050.2A on September 14, 2016. (See signed Assurances attached as Appendix B.)

Part III-Description of Federal-Aid Programs

The RIDMV is responsible for activities assigned to it by law, including, but not limited to, motor vehicle registration, testing and licensing of motor vehicle operators, inspection of motor vehicles, enforcement of laws relating to the issuance, suspension and revocation of motor vehicle registrations and drivers' licenses, and the administration of the financial responsibility law.

The RIDMV receives the following federal funding from the Federal Motor Carrier Safety Administration (FMCSA):

- A 2007 CVISN grant that is utilized to improve safety and productivity of motor carriers, commercial motor vehicles, and their drivers;
- A 2012 and a 2014 CDLPI grant that are utilized to achieve compliance towards requirements set forth by AAMVA CDLIS State Procedure Manual (release 5.2 and 5.3); and
- A 2015 PRISM grant that will be utilized to improve the commercial vehicle registration and enforcement process.

The RIDMV applied for the following FMCSA grant in FY 2016:

- A PRISM grant (Opportunity Number FM-PZ-16-001) that would be utilized to improve the commercial vehicle registration and enforcement process.

Part IV-Notification to Beneficiaries/ Participants

The RIDMV posts information regarding its Title VI Program Compliance Plan on the RIDMV website at www.dmv.ri.gov and on posters displayed at all RIDMV branch offices. The notification will include the following: a statement that the RIDMV conducts all programs and activities without regard to race, color, national origin, sex, age, or disability, including income-level and LEP status; procedures to be followed by members of the public to request additional information regarding the RIDMV's nondiscrimination obligations; and procedures to be followed by members of the public to file a discrimination complaint against the RIDMV that include the RIDMV contact representative, address, telephone number, and email address.

Part V- Sub-Recipient Compliance Reports

The RIDMV does not have sub-recipients of federal funds.

Part VI-Training

The RIDMV Title VI/Nondiscrimination Coordinator will ensure that appropriate RIDMV employees receive training regarding the RIDMV's obligations under the Title VI Program. The RIDMV Title VI/Nondiscrimination Coordinator, a representative from RIDMV Administration and Legal Counsel for the RIDMV will attend the Rhode Island Department of Transportation's annual Title VI training seminar. All RIDMV employees will receive via email a copy of the RIDMV's Title VI Policy Statement and an adapted version of the FMCSA Basic Title VI Program powerpoint presentation by no later than January 1, 2017. All RIDMV employees will continue to receive such documents via email on an annual basis thereafter and whenever such documents are amended.

Part VII-Access to Records

All records regarding the RIDMV's Title VI Program activities will be maintained at the RIDMV's Administration Office, located at 600 New London Avenue, 3rd Floor, Cranston, Rhode Island 02920 and will be made available to FMCSA officials upon request directed to the RIDMV Title VI/Nondiscrimination Coordinator.

Part VIII-Complaint Disposition Process

Any person who believes that he or she has been subjected to discrimination by the RIDMV may file a complaint on the Title VI Program Complaint Form attached as Appendix C. Information regarding the complaint process and the Title VI Program Complaint Form will be posted on the on the RIDMV website at www.dmv.ri.gov. Hard copies of the Title VI Program Complaint Form will also be made available at all RIDMV branch offices.

Complainants must file the Title VI Program Complaint Form no later than 180 days after:

- The date of the alleged act of discrimination; or
- Where there has been a continuing course of alleged discriminatory conduct, the date on which a reasonable person should have known that grounds for a complaint existed.

The RIDMV Title VI/Nondiscrimination Coordinator or his/her designee may extend the time for filing or waive the time limit in the interest of justice, specifying the reason in writing.

Complainants must submit the Title VI Program Complaint Form in the following manner:

- online via the RIDMV website at www.dmv.ri.gov;
- in writing in person at any RIDMV branch office; or
- in writing via mail to the RIDMV at the following address:

Rhode Island Division of Motor Vehicles
ATTN: Administration Office, 3rd Floor
600 New London Avenue
Cranston, RI 02920

The RIDMV will forward a copy of all Title VI Program Complaint Forms to the RIDMV Title VI/Nondiscrimination Coordinator as soon as practicable upon receipt. All complaints received by the RIDMV will be responded to, recorded, investigated, and maintained on file at the RIDMV's Administration Office. The RIDMV Title VI/Nondiscrimination Coordinator will monitor all complaints and ensure a timely response. All complaints will be addressed within ninety (90) days of receipt, unless additional time is required to investigate the complaint. Complainants will be notified in writing of the reason or reasons that additional time is required.

The RIDMV will maintain a Title VI Program Complaint Log that includes all information provided by the complainant on the Title VI Program Complaint Form. (See Title VI Program Complaint Log attached as Appendix D.)

Part IX-Status of Corrective Actions Implemented by RIDMV to Address Deficiencies Previously Identified During a Title VI Program Compliance Review

The RIDMV has not previously undergone a Title VI Program Compliance Review. However, the RIDMV and the FMCSA National Title VI Program Manager began discussions in the fall of 2015 regarding requests from individuals seeking to take the written driver's license examination in languages other than English, Spanish, and Portuguese.

Part X-Limited English Proficiency

1. Written Driver's License Examination

Introduction

Prior to the fall of 2015, the RIDMV offered the written driver's license examination in English, Spanish, and Portuguese. Following discussions with the FMCSA National Title VI Program Manager, the RIDMV began to translate the written driver's license examination into the native language of the requester while it developed its Title VI Program Compliance Plan.

Four-Factor Analysis

Currently, the RIDMV offers the written driver's license examination in the following languages: English, Spanish, Portuguese, Polish, Bosnian, Italian, Arabic, Hindi, Hungarian, French, French/Haitian Creole, Laotian, Armenian, Swahili, Russian, Chinese (Mandarin), and Cambodian.

Reasonable Accommodation

Under the Department of Transportation's Policy Guidance Concerning Recipients Responsibilities to Limited English Proficient (LEP) Persons, 70 FR 74087, ("DOT LEP Policy Guidance") DOT recipients will demonstrate strong evidence of compliance with written-translation obligations by providing written translations to each eligible LEP language group that constitutes 5% or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered. Based on the United States Census Bureau Table of Detailed Languages Spoken at Home and Ability to Speak English for the Population 5 Years and Over for States: 2009-2013, Table 40, Column 3, Speak English less than "Very Well" (attached as Appendix E)¹, the RIDMV will exhaust the list of eligible LEP language groups in accordance with the above upon translation of the written driver's license examination into French Creole. If the RIDMV receives a future request to take the written driver's license examination in a language not currently available, the RIDMV will translate the written driver's license examination into the native language of the requester as soon as practicable after receipt of the request. If future United States Census Bureau data demonstrates that a LEP language group constitutes 5% or 1,000, whichever is less, of the population of persons eligible to be served or likely to be affected or encountered, the RIDMV will translate the written driver's license examination into that language if such language is not already offered. The RIDMV will review updated United States Census Bureau data regarding LEP language groups starting in 2020 and every five (5) years thereafter.


2. Other RIDMV Services

In FY 2017 the RIDMV will commence a review of the services it offers to determine, in accordance with the DOT LEP Policy Guidance, if any additional documents require translation into another language or languages and/or if interpretive services need to be provided. The RIDMV will update this section of its FY 2018 Title VI Program Compliance Plan with the results of this review.

¹ Table 40 can also be found at the following link: <http://census.gov/data/tables/2013/demo/2009-2013-lang-tables.html> which is current as of June 29, 2016.


APPENDIX A

TITLE VI/ NONDISCRIMINATION COORDINATOR APPOINTMENT LETTER

DOR  **Rhode Island Department of Revenue**
Office of the Director

MEMORANDUM

TO: Michael DiBiase
Director
Department of Administration

FROM: David M. Sullivan 
Acting Director
Department of Revenue

DATE: September 15, 2015

SUBJECT: Department of Revenue's Title VI/Nondiscrimination Coordinator

I hereby appoint Heather Martino, Esq. as the Department of Revenue's Title VI/Nondiscrimination Coordinator. This appointment is in addition to her current duties. In addition to Ms. Martino being the Department's Diversity Officer, she currently works in the Division of Municipal Finance as the Municipal Resources Administrator focusing on issues related to fiscally distressed municipalities and fire districts.

APPENDIX B

**United States Department of Transportation Standard
Title VI/Non-Discrimination Assurances, DOT Order No. 1050.2A,
Executed by RIDMV on September 14, 2016**

The United States Department of Transportation

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

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

The Rhode Island Department of Revenue, Division of Motor Vehicles 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 the Rhode Island Department of Revenue, Division of Motor Vehicles, 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.

The Rhode Island Department of Revenue, Division of Motor Vehicles

by 
Walter R. Craddock, Administrator

DATED 9/14/16

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.*).

APPENDIX C

TITLE VI PROGRAM COMPLAINT FORM

Is English your primary language? ___ Yes ___ No

Do you have a limited ability to read, write, speak, or understand English? ___ Yes ___ No

Please indicate on what basis you believe discrimination occurred:

- Race or Color
- National Origin
- Sex
- Age
- Disability
- Income
- Limited English Proficiency

Date of alleged discrimination: _____

Where alleged discrimination occurred: _____

Please describe the circumstances of the alleged discrimination:

Please list all witness names and telephone numbers:

What type of corrective action are you requesting?

Please attach any documents you have to support the allegation. Sign and date this form and mail to:

Rhode Island Division of Motor Vehicles
ATTN: Administration Office, 3rd Floor
600 New London Avenue
Cranston, RI 02920

Signature

Date

APPENDIX D

RIDMV TITLE VI PROGRAM COMPLAINT LOG

APPENDIX E

United States Census Bureau Table of Detailed Languages Spoken at Home and Ability to Speak English for the Population 5 Years and Over for States: 2009-2013, Table 40

Table 40. Detailed Languages Spoken at Home and Ability to Speak English for the Population 5 Years and Over for Rhode Island: 2009-2013
Release Date: October 2015

	Number of speakers ¹	Margin of Error ²	Speak English less than "Very Well" ¹	Margin of Error ²
Population 5 years and over	995,757	211	86,168	2,178
Speak only English at home	785,383	3,028	(X)	(X)
Speak a language other than English at home	210,374	3,018	86,168	2,178
SPANISH AND SPANISH CREOLE	109,457	1,302	50,073	1,442
Spanish	109,455	1,302	50,075	1,442
OTHER INDO-EUROPEAN LANGUAGES	71,970	2,610	23,012	1,230
French (incl. Patois, Cajun)	10,650	872	2,029	320
French	10,650	872	2,030	320
French Creole	6,321	813	2,367	386
Italian	8,003	880	1,762	322
Portuguese (incl. Portuguese Creole)	32,159	1,653	13,063	877
Portuguese	32,100	1,662	13,065	877
Papia Mentae	60	62	(B)	--
German (incl. Luxembourgian)	1,633	282	259	86
German	1,620	283	260	86
Luxembourgian	(D)	(D)	(B)	--
Yiddish	66	42	7	12
Other West Germanic languages	224	105	65	61
Pennsylvania Dutch	(D)	(D)	(B)	--
Dutch	150	89	(D)	(D)
Afrikaans	70	67	(D)	(D)
Scandinavian languages	523	192	24	29
Swedish	235	126	(D)	(D)
Danish	165	145	(B)	--
Norwegian	110	82	(D)	(D)
Icelandic	(D)	(D)	(B)	--
Greek	1,976	501	350	138
Russian	1,719	369	773	194
Polish	2,149	428	641	181
Serbo-Croatian languages	294	212	37	42
Serbocroatian	155	151	(D)	(D)
Croatian	100	153	(B)	--
Serbian	(D)	(D)	(D)	(D)
Other Slavic languages	489	178	135	97
Ukrainian	305	162	120	95
Czech	(D)	(D)	(B)	--
Slovak	40	40	(B)	--
Bulgarian	105	65	(D)	(D)
Slovene	(D)	(D)	(B)	--
Armenian	1,048	291	153	67
Persian	326	232	81	52
Hindi	879	252	58	46
Gujarati	479	281	181	118

	Number of speakers ¹	Margin of Error ²	Speak English less than "Very Well" ¹	Margin of Error ²
Urdu	461	205	160	114
Other Indic languages	1,736	540	672	417
India n.e.c. ³	370	223	15	17
Bengali	500	204	185	119
Panjabi	(D)	(D)	(B)	--
Marathi	135	102	(D)	(D)
Rajasthani	(D)	(D)	(B)	--
Oriya	50	57	(D)	(D)
Nepali	575	415	350	330
Sindhi	85	129	(D)	(D)
Romany	(D)	(D)	(D)	(D)
Other Indo-European languages	835	209	195	110
Jamaican Creole	85	111	(D)	(D)
Krio	(D)	(D)	(B)	--
Catalonian	(D)	(D)	(B)	--
Romanian	225	154	75	69
Irish Gaelic	55	42	(D)	(D)
Scottic Gaelic	(D)	(D)	(B)	--
Albanian	60	43	(D)	(D)
Lithuanian	160	110	(D)	(D)
Latvian	120	63	(D)	(D)
Pashto	75	95	(D)	(D)
ASIAN AND PACIFIC ISLAND LANGUAGES	21,246	978	10,505	722
Chinese (incl. Cantonese, Mandarin, other Chinese languages)	6,073	714	3,353	529
Chinese	4,490	635	2,720	458
Hakka	(D)	(D)	(D)	(D)
Cantonese	535	193	205	108
Mandarin	860	305	305	153
Formosan	160	171	110	123
Japanese	498	175	188	95
Korean	1,114	300	568	203
Mon-Khmer, Cambodian	4,287	789	2,143	411
Hmong	666	292	301	152
Thai	522	194	182	71
Laotian	3,172	626	1,540	362
Vietnamese	1,067	420	593	259
Other Asian languages	1,480	408	635	291
Kazakh	75	75	(D)	(D)
Turkish	400	219	195	159
Mongolian	(D)	(D)	(D)	(D)
Telugu	110	75	(B)	--
Kannada	(D)	(D)	(B)	--
Malayalam	175	115	(B)	--
Tamil	475	256	245	211
Tibetan	80	123	(D)	(D)
Burmese	120	124	95	100
Tagalog	2,151	473	943	328
Other Pacific Island languages	216	111	59	53
Indonesian	135	86	(D)	(D)

	Number of speakers ¹	Margin of Error ²	Speak English less than "Very Well" ¹	Margin of Error ²
Malay	(D)	(D)	(B)	--
Bisayan	40	67	30	48
Sebuano	(D)	(D)	(B)	--
Ilocano	(D)	(D)	(B)	--
Pampangan	(D)	(D)	(D)	(D)
Polynesian	(D)	(D)	(D)	(D)
Hawaiian	(D)	(D)	(B)	--
ALL OTHER LANGUAGES	7,701	963	2,578	519
Navajo	9	17	(B)	--
Other Native North American languages	190	142	22	35
Dakota	(D)	(D)	(D)	(D)
American Indian	175	137	(D)	(D)
Hungarian	161	111	65	64
Arabic	2,920	631	1,083	321
Hebrew	390	163	(B)	--
African languages	3,658	566	1,264	320
Amharic	205	188	155	167
Cushite	(D)	(D)	(B)	--
Swahili	85	77	(B)	--
Bantu	155	112	65	69
Mande	235	184	110	97
Fulani	465	240	95	73
Kru, Ibo, Yoruba	2,435	469	795	266
Efik	(D)	(D)	(B)	--
African	60	50	(D)	(D)
Other and unspecified languages	373	143	144	94
Finnish	75	60	(D)	(D)
Estonian	(D)	(D)	(D)	(D)
Caucasian	(D)	(D)	(D)	(D)
Basque	30	47	(B)	--
Syriac	110	94	(D)	(D)
Mayan languages	(D)	(D)	(D)	(D)
Uncodable	70	46	(D)	(D)

Notes:

¹ Detailed-language estimates are rounded to the nearest multiple of five. Aggregate estimates (bold-face entries) are unrounded and appear in table B16001 (http://factfinder.census.gov/bkmk/table/1.0/en/ACS/13_5YR/B16001/0400000US44). Detailed-language estimates may not sum to aggregate estimates because of rounding.

² Data are based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown here is the 90 percent margin of error. The margin of error can be interpreted roughly as providing a 90 percent probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. In addition to sampling variability, the ACS estimates are subject to nonsampling error (for a discussion of nonsampling variability, see Accuracy of the Data at http://www2.census.gov/programs-surveys/acs/tech_docs/accuracy/MultiyearACSAccuracyofData2013.pdf). The effect of nonsampling error is not represented in these tables.

³ N.E.C. stands for not elsewhere classified. These are languages where respondents indicated they spoke either Indian or Pakistan. For Indian, it cannot be determined if the respondent spoke a native American language or spoke a language from India. For Pakistan, respondents wrote in Pakistan but it cannot be determined which one of the languages spoken in Pakistan is actually being spoken. To distinguish these languages, n.e.c. is used to indicate they are not classified in any other language code.

⁴ This category includes literal write-ins of Chinese as well as Hakka, Kan, Hsiang, Cantonese, Mandarin, Fuchow, Formosan, and Wu.

(D) Data withheld to avoid disclosure.

(B) Either no sample observations or too few sample observations were available to compute an estimate.

(X) Question does not apply.

	Number of speakers ¹	Margin of Error ²	Speak English less than "Very Well" ¹	Margin of Error ²
--	---------------------------------	------------------------------	--	------------------------------

-- Either no sample observations or too few sample observations were available to compute a standard error and thus the margin of error. A statistical test is not appropriate.

Source: U.S. Census Bureau, 2009-2013 American Community Survey

[Return to Index](#)