Federal Motor Carrier Safety Administration
(FMCSA)

Motor Carrier Services

TITLE VI PROGRAM COMPLIANCE PLAN

FFY 2026

OFFICE OF CIVIL RIGHTS
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MONTANA
Department of Transportation

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Introduction to MDT

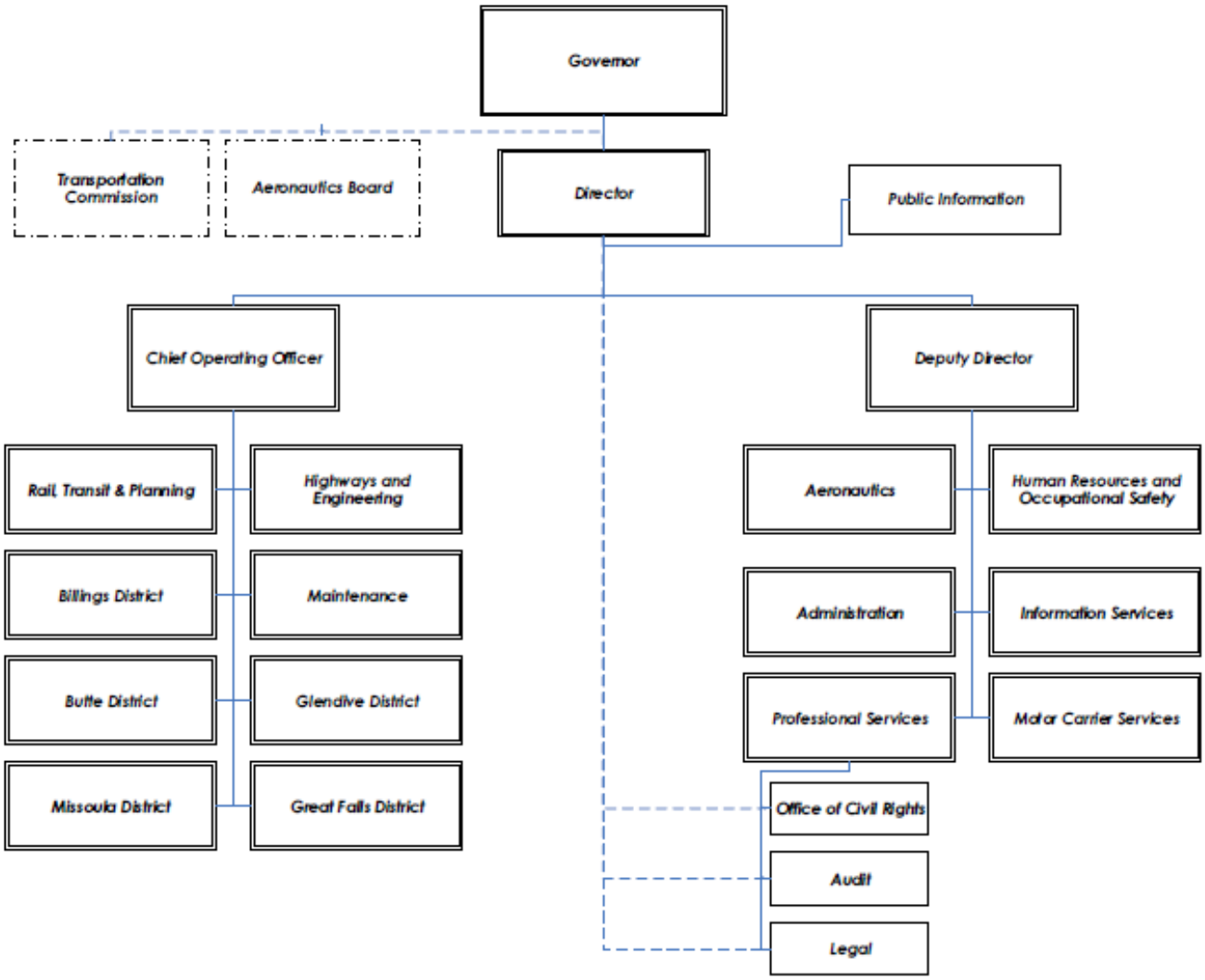
Mission & Values

The mission of the Montana Department of Transportation (MDT) is to plan, build, operate, and maintain a safe and resilient transportation system to move Montana forward.

The core values that guide all MDT employee behavior, actions and approach are: Safety, Accountability, Customer Service, Leadership, Communication, Decision-Making and Disagreement, and Excellence.

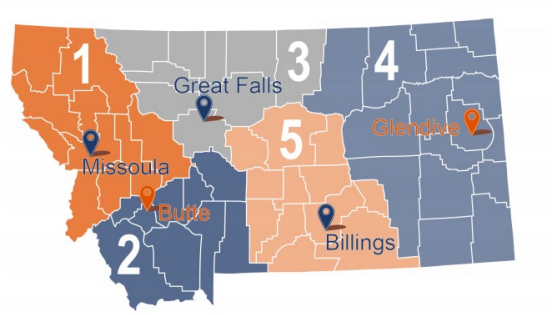
Organization

MDT is responsible for the planning, design, maintenance, operation, and management of Montana's state-owned roadways, walkways, rest areas, airports, and numerous public-use facilities. The departmental structure helps staff at the state, regional, and local level efficiently deliver transportation improvements, comply with relevant rules and regulations, and maintain and operate transportation infrastructure to enable daily movement of goods and people across the state.



Each division within the department provides a critical function toward meeting MDT's mission of ensuring Montana's transportation network remains a quality resource for all users. As transportation funding changes on both the federal and state levels, efficient management of resources to address needs will make all the difference in how Montana's transportation network continues to support the growth of businesses, communities, and the Montana way of life. MDT's leaders, employees, and partners are focused on the future of our state and finding the best ways to move Montana forward, together.

Montana's geographic and demographic diversity means regions in Montana face different travel demands and transportation challenges. Larger metropolitan areas with a need to expand urban roadways or manage congested intersection operations may vary from rural Montana's need to reduce roadway departure crashes or manage the movement of large trucks through small towns. To address these unique challenges, the state is split into five transportation districts, each managed by district administrators focused on the individual transportation needs within their jurisdiction.



District 1 - Missoula
Phone: 406.523.5800

District 2 - Butte
Phone: 406.494.9600

District 3 - Great Falls
Phone: 406.454.5880

District 4 - Glendive
Phone: 406.345.8200

District 5 - Billings
Phone: 406.252.4138

The Motor Carrier Services Division (MCS) of MDT:

- Protects Montana and federal government investments in Montana's highway system.
- Ensures the safety of the traveling public through enforcement of state and federal regulations applicable to:
    - commercial motor vehicle (CMV) industry.
    - agricultural motor carrier laws, rules, and regulations.
- Licenses and permits CMVs in compliance with state and federal laws.
- Ensures compliance with state, federal, and international CMV regulations.
- Establishes enforcement plans and policies on behalf of the State of Montana.

FMCSA Title VI Program Policy Statement

The Montana Department of Transportation (MDT), as a recipient of Federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related nondiscrimination authorities, ensures that no person shall, on the grounds of race, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any MDT programs or activities.

MDT is committed to comply with 49 CFR Part 21 and 49 CFR Part 303. I have signed the United States Department of Transportation Standard Title VI/Non-Discrimination Assurances, which are located at Attachment A.

I have designated Office of Civil Rights (OCR) Title VI Specialist, Kim Vietz, to serve as the Agency-wide Title VI Coordinator for the MDT Title VI Program. See Attachment B for designation of MDT Agency-wide Title VI Program Coordinator.

I have also delegated sufficient responsibility and authority to the MDT Title VI Program Coordinator and to the MCS Division Administrator to effectively implement MDT's Title VI Program for MCS. See Attachment B for delegation.

The MDT Title VI Program Coordinator is responsible for the implementation of MDT's Title VI obligations which involve education, training, and prevention and investigation of claims of discrimination under Title VI. The MDT Title VI Program Coordinator coordinates all complaints filed, conducts investigations, and maintains the files on all Title VI complaints.

Christopher Dorrington, Director
Montana Department of Transportation

July 16th, 2025
Date

FMCSA Title VI Program Assurances

49 CFR 21.7 requires assurances from MDT that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity for which the recipient receives Federal assistance from the Federal Motor Carrier Safety Administration (FMCSA). MDT's current Title VI Program Assurances signed by the MDT Director are located at Attachment A.

Description of Federal-Aid Programs

MDT is a recipient of grants from FMCSA's federal-aid programs and plans to apply annually for each of the grants and/or programs listed below:

Motor Carrier Safety Assistance Program (MCSAP) Basic and Incentive Grant Program – The MCSAP Basic Grant is a formula grant awarded annually to a state's lead agency through the approved submission of the Commercial Vehicle Safety Plan (CVSP). Montana's Governor has designated MDT as the lead agency in Montana responsible for submitting the CVSP and administering the MCSAP Program. Included within the CVSP is the Border Enforcement Grant (BEG) and New Entrant (NE) Safety Audit Grant.

Montana's MCSAP activities include the ten national program elements established in 49 CFR § 350.203:

1. Driver inspections.
2. Vehicle inspections.
3. Traffic enforcement.
4. Investigations.
5. New entrant safety audits.
6. CMV safety programs focusing on international commerce in border states.
7. Full participation in the Performance Registration Information Systems Management (PRISM) program or an acceptable alternative as determined by the Administrator.[1]
8. Accurate, complete, timely, and corrected data.
9. Public education and awareness.
10. Other prescribed elements.

New Entrant (NE) Safety Audit Grant - The purpose of the NE Safety Assurance Program is to reduce Commercial Motor Vehicle (CMV) involved crashes, fatalities, and injuries through consistent, uniform, and effective CMV safety programs. The NE Program enables this effort by providing funding to eligible recipients for costs incurred conducting audits on these carriers.

Border Enforcement Grant (BEG) - Montana has numerous international border crossings with Canada and receives Border Enforcement funding from this grant. Montana will conduct a border CMV safety program focusing on international commerce, including enforcement and related projects.

Innovative Technology Deployment (ITD) High Priority Grant Program – FMCSA High Priority funding is available for projects that are national in scope, increase public awareness and education, demonstrate new technologies, and reduce the number of CMV crashes. Montana has updated an ITD Top Level Design and Program Plan which was approved by FMCSA in 2024 to improve effectiveness and efficiency regarding safety of the transportation system. The updated plan identified 12 projects to be prioritized and implemented as funding, technology and contract opportunities become available.

[1] MDT meets the "full participation" in PRISM requirement and has established enhanced participation in PRISM.

Notification to Beneficiaries/Participants

MDT populates FMCSA's template entitled "Public Notice of Title VI Program Rights" with the appropriate contact information. MDT posts the Public Notice of Title VI Program Rights in all public-accessed facilities and uploads the Notice to MDT's website where members of the public may access the Notice.

For MDT's Public Notice of Title VI Program Rights, please see MDT's website located at: https://www.mdt.mt.gov/other/webdata/external/civilrights/Title_VI_Public_Notice.pdf

Subrecipient Compliance Reports

The MDT MCS Division does not currently have any subrecipients of federal funding. MDT has two agreements with another state agency that require compliance with Title VI Program responsibilities.

MDT-MDOJ JITSD

MDT has a Memorandum of Agreement (MOA) with the Montana Department of Justice (MDOJ), Justice Information Technology Services Division (JITSD), for funding the information technology support position and provision of SmartCOP information technology services using federal funds received by MDT through FMCSA grants.

While MDOJ JITSD does not meet the definition of subrecipient set forth in the FMCSA Applicant Title VI Program Compliance Plan Checklist, MDT nevertheless requires that MDOJ JITSD adhere to Title VI Program requirements as set forth in the MDT-MDOJ JITSD MOA, Attachment C and Attachment A (United States Department of Transportation (USDOT), Standard Title VI/Non-Discrimination Assurances, which is incorporated into the MOA). In addition, MDT monitors MDOJ JITSD compliance with Title VI Program responsibilities.

MDT-MHP

MDT has a Memorandum of Understanding (MOU) with the Montana Highway Patrol (MHP) that identifies responsibilities, support functions and funding to support MCSAP and other FMCSA related federal programs, Attachment D. MHP provides enforcement activities required to meet the MCSAP traffic enforcement national program element of Montana's CVSP. Under Montana's CVSP and Montana law, MHP:

- Is required to cooperate with MDT "to ensure minimum duplication and maximum coordination of enforcement efforts" as set forth in MCA § 61-10-154.
- Has the primary authority to provide traffic enforcement of CMVs.
- Conducts the MCSAP traffic enforcement activity from the CVSP, which is 100% state funded.
- May be involved with other state operations such as Operation Safe Driver, which are funded by the Unified Carrier Registration state fund.

MHP does not meet the definition of subrecipient set forth in the FMCSA Applicant Title VI Program Compliance Plan Checklist, so MDT does not consider MHP a subrecipient. MDT nevertheless requires MHP to comply with Title VI Program responsibilities.

MDT and MHP have agreed to address MHP's Title VI Program responsibilities through:

- Discussions at annual meetings.
- Language in the MCS-MHP MOU.
- Incorporating the USDOT Standard Title VI/Non-Discrimination Assurances into the MCS-MHP MOU.
- Incorporating MDT's FMCSA-approved Title VI Program Compliance Plan into the MOU.
- Monitoring MHP compliance of Title VI Program responsibilities.

MDT's Title VI Program Monitoring Activities

For both the MOA and MOU, MDT actively works to prevent Title VI Program deficiencies and violations and will take necessary steps to ensure compliance with all Title VI Program requirements. When deficiencies are identified in the Title VI Program requirements, corrective action will be taken. MDT will seek cooperation of MDOJ JITSD and MHP in correcting any deficiencies found during review. MDT will also provide technical assistance and guidance needed to aid MDOJ JITSD and MHP to comply voluntarily. In the event MDOJ JITSD or MHP fail or refuse to voluntarily comply with Title VI Program requirements within the time frame allotted, MDT will evaluate the reason for the deficiency. If reasonable concerns or barriers are found in the implementation of the MOA or MOU Title VI Program requirements, MDT will contact FMCSA as soon as possible for assistance and guidance.

If additional Title VI Program monitoring of MDOJ JITSD and/or MHP is deemed necessary to obtain compliant status and ensure ongoing compliance, follow-up reviews will be conducted to ensure corrective action has been taken.

MDT's Title VI Program Specialist serves as MDT's Title VI Program Coordinator. The MDT Title VI Program Coordinator reviews procedures quarterly to assure proper compliance with the MDT Title VI Program requirements. Copies of quarterly reviews will be provided to FMCSA upon request.

Training

MDT OCR conducts Title VI Program training for MCS personnel. Training will include the Title VI Program Policy Statement, language assistance resources, and FMCSA PowerPoint presentation. MDT will provide Title VI Program training to MCS personnel either annually or every other year. MDT maintains a record of MCS personnel receiving the Title VI Program training and will submit to FMCSA OCR upon request. If MDT updates the existing FMCSA Title VI Program training, it will submit to FMCSA OCR the updated Title VI Program material for review and comments.

Access to Records

All records or documents relating to the effective implementation of Title VI Program requirements are readily available for review by FMCSA at any time. Upon request by FMCSA, the MDT Title VI Program Coordinator will provide the previous years' complaint logs, training materials, handouts, contract language, the MDT nondiscrimination and disability accommodation notice, the FHWA Report, or any other Title VI Program-related records or document requested by FMCSA. The documents will be electronically delivered (unless paper copies are requested) to FMCSA within seven business days of the request.

Complaint Disposition Process

MCS Complaint Process

Members of the public may contact the MDT Title VI Coordinator directly by phone, fax, mail, or email to request additional information regarding MDT's Title VI Program obligations. Additionally, MDT's website includes copies of the Department's Title VI policy statements, assurances, and current plans.

Kim Vietz, Title VI Specialist
Office of Civil Rights
2701 Prospect Avenue
PO Box 201001
Helena, MT 59620
Phone: 406-444-6334
TTY:800-335-7592
Fax: 406-444-7243
Email: kvietz@mt.gov
Website: https://www.mdt.mt.gov/business/contracting/civil/eeo.aspx

Should a member of the general public or an MDT staff person have reason to believe he or she has been illegally discriminated against, he or she may file a formal complaint with the OCR in person, by phone, fax, mail, or email. For the convenience of the complainant, the Complaint Form (Attachment E) may be completed and returned to the MDT Title VI Program Coordinator, but complaints can also be received by OCR as set forth above. Should a complainant need assistance producing a written complaint, the Title VI Program Coordinator will take the complaint verbally and produce a written version for the review and signature of the complainant. The full complaint process is described in greater detail in Attachment F.

Complaint Procedures

See Attachments E and F for OCR's Complaint Form and Procedure. All investigations are conducted by personnel trained in Title VI Program compliance investigations.

OCR tracks Title VI Program complaint information, including:

- name of the complainant.
- identification by demography (i.e., race, color, national origin, etc.).
- allegation(s).
- complaint date.
- date of Report of Investigation.
- determination made and date.
- any other relevant information OCR deems appropriate.

Formal complaints related to FMCSA for alleged Title VI Program violations will be investigated immediately and notification will be given to FMCSA of all steps taken, and if a formal investigation is required, a copy of the final report will be furnished to FMCSA.

Complaint Tracking

OCR tracks all Title VI complaints in the MDT Complaint Tracking database and can produce reports for Title VI complaints for specified timeframes. MDT will make Title VI Program Complaint Tracking data available to FMCSA upon request.

Status of Corrective Actions

MDT is providing the same FTA corrective action items set forth in the FFY 2023 compliance plan because they are within the 5 years provided for in the FFY 2026 FMCSA Checklist.

FTA

The Federal Transit Administration (FTA) conducted a 2023 State Management Review (2023 SMR) of MDT Transit Section's Title VI Program. The FTA noted two deficiencies and set forth a corrective action schedule.

I. FTA Deficiency #1.

A. FTA C. 4702.1B Chapter III.9.b Developing a Language Assistance Plan. The most recent MDT Title VI plan for FTA was submitted in 2024. However, it has not yet been reviewed or approved by FTA. The MDT Title VI Plan submitted in 2021 contained the MDT Title VI Language Assistance Plan that was last developed in 2012. The FTA Region 8 Civil Rights Officer stated the following in correspondence dated April 8, 2021:

> *The LAP was still not fully updated since 2012 and this 2012 LAP document is still what is referenced in the program and on the website. The LAP should be updated every three years with each Title VI program submission to include any activity since the last Title VI program submission. While the subrecipient monitoring and staff training was updated, please fully update the LAP. FTA will verify that the LAP has been fully updated at the next State Management Review and failure to produce evidence will result in a finding.*

MDT acknowledged at the site visit that the current LAP was outdated and stated that it was working on an updated LAP.

The FTA Corrective Action(s) and Schedule required that by July 1, 2024, MDT must prepare and submit to the FTA Office of Civil Rights documentation of an updated LAP and evidence of its implementation. The MDT LAP was updated in July 2023.

II. FTA Deficiency #2.

A. FTA C. 4702.1B Chapter III 12. Monitoring Subrecipients. During the site visit, it was determined that MDT had not been collecting and reviewing Title VI plans of its Section 5310 subrecipients. In the Recipient Information Request, MDT reported that it had 21 active Section 5310 subrecipients in rural areas.

The FTA Corrective Action(s) and Schedule require that by July 1, 2024, MDT must prepare and submit to the FTA Office of Civil Rights a schedule for reviewing Section 5310 subrecipients' Title VI programs along with evidence of its implementation.

MDT submitted corrective actions for both findings noted above, and those corrective actions were accepted by FTA on August 2, 2024.

The 2023 SMR has also been provided to FMCSA.

Community Participation Process

This section is not applicable to MDT. The Montana Department of Justice is the commercial driver license (CDL) Program Grantee in the State of Montana.

Commercial Vehicle Inspection Selection & Unbiased Enforcement Procedures

MDT's MCS CMV Inspection, Investigation, and Selection Procedure is located in Attachment G and the MCS Title VI Program Procedure is located in Attachment H. The MCS Division Administrator will coordinate with the Title VI Specialist periodically to monitor MCS operations to ensure effective implementation of the Title VI Program Procedure.

In June 2022, MDT conducted an agency-wide survey in order to begin a comprehensive update of its agency-wide Language Assistance Plan (LAP) for Limited English Proficient (LEP) individuals. The current version of MDT's LEP/LAP Plan can be found on MDT's website:

https://mdt.mt.gov/other/webdata/external/civilrights/limited_english_proficiency_plan.pdf

MDT attempts to provide accommodations for any known disability that may interfere with a person participating in any service, program, or activity of MDT. Alternative accessible formats of this information will be provided upon request. For further information, please contact:

Office of Civil Rights
Montana Department of Transportation
2701 Prospect Avenue
PO Box 201001
Helena, MT 59620-1001
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