



State of Texas

Department of Public Safety

Title VI Program Plan

Title VI Program Policy Statement

The Texas Department of Public Safety (Department), 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 Department programs or activities.

The Department is committed to comply with 49 CFR Part 21 and 49 CFR Part 303. The Department's updated Title VI Program Assurances signed by its executive director are located Attachment 3.

In accordance with 23 CFR 200.9(b)(1), the Equal Employment Officer (EEO) serves as the Department's Title VI/Nondiscrimination Coordinator. Major Adam Kinslow is EEO for the Texas Department of Public Safety. The EEO is responsible for the implementation of the Department's sexual harassment and discrimination policy which involves the education, prevention, and investigation of claims of discrimination and/or sexual harassment and unprofessional conduct. Texas DPS's Title VI/Nondiscrimination Coordinator is to be assisted in the effective implementation of the Title VI Program by all Program Managers and affected personnel.

Signed by:

Freeman F. Martin

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12/2/2025 | 8:28 AM PST

Freeman F. Martin, Colonel
Texas Department of Public Safety

Date

FMCSA Title VI Program Assurance

49 CFR 21.7 requires assurances from the Department 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). The Department's updated Title VI Program Assurances signed by its executive director are located at Attachment 3.

Title VI Program Coordinator

The Department's Title VI program has been established in accordance with federal rules under 23 CFR Part 200 and falls within the scope of responsibilities of the Equal Employment Opportunity Office. In accordance with 23 CFR 200.9(b)(1), the Equal Employment Officer (EEO) serves as the Department's Title VI/Nondiscrimination Coordinator. The EEO is responsible for the implementation of the Department's sexual harassment and discrimination policy which involves the education, prevention, and investigation of claims of discrimination and/or sexual harassment and unprofessional conduct. The EEO's office is located in Austin and coordinates all complaints filed, conducts investigations, and maintains the files on all applicable files under this policy. Upon the completion of any investigation and review by the respective assistant director, special section head, or director's office, the investigation file and copies of all correspondence must be submitted to the Equal Employment Opportunity Office. The complaints and files maintained by the Equal Employment Opportunity Office will be confidential to the extent allowed by state and federal law.

See Attachment 1, the Department's Organizational Structure and Attachment 2, designation of Title VI Officer.

Federal-Aid Programs

The State of Texas has a comprehensive commercial vehicle safety program (CVSP) that includes driver/vehicle inspections, traffic enforcement, compliance reviews, public education, data collection, and commercial vehicle enforcement personnel training. The CVSP as well as all FMCSA grant related programs including but not limited to Performance and Registration Information Systems Management (PRISM) and The Innovative Technology Deployment (ITD) Programs seek to benefit the general public and this includes all at large members regardless of race, color, national origin, sex, age, or disability.

The Driver License Division enhances public safety through the licensing of competent drivers, the removal of unsafe drivers and vehicles from roadways, and promoting vehicle training and safety initiatives. The Department provides these services for the benefit of the general public regardless of race, color, national origin, sex, age, or disability.

Department Wide Objective

The broad objective of the Texas Department of Public Safety is: "To Maintain Public Safety in the State of Texas." The Department works toward the attainment of this objective within existing regulations and in cooperation with other agencies and persons with mutual or related responsibilities. It seeks to preserve the peace and to protect the persons, property, rights, and privileges of all people in the state of Texas.

The basic doctrine of the Department of Public Safety according to 37 Texas Administrative Code section 1.11 is as follows:

- (a) The department of public safety accepts its responsibilities as a public trust. It is our policy to discharge with dispatch any responsibility to the fullest extent with maximum benefit for the public.
- (b) It is the policy of the department to afford maximum courtesy, service, and protection to all members of the public and visitors in this state.
- (c) The department recognizes that government exists for the benefit of the governed-the people. Enforcement and regulatory actions against persons are carried out for the benefit of society as a whole. The department does not act to adjudicate or rectify injustices, inequities, or wrongs between individuals, but acts only to maintain order for the preservation and protection of society as a whole.
- (d) It is a solemn obligation of members of the department to uphold the constitutions of the United States and the State of Texas as well as to enforce the statutory enactments. Constitutional provisions take precedence over statutory enactments. In the enforcement of the provisions of a statute, personnel of the department of public safety will refrain from infringing upon any rights or privileges guaranteed by the constitutions.
- (e) The department recognizes that the basic responsibility for the enforcement of the criminal laws rests with the local officers in their respective jurisdictions. It is the policy of the department to cooperate with and assist local officers fully in these matters but to leave the basic responsibility to them unless specifically assigned to do otherwise.

(f) It is the policy of the department to assume primary responsibility for traffic supervision on the rural highways of this state, including the regulation of commercial traffic.

(g) The department will cooperate with all governmental agencies discharging statutory duties when assistance complies with state law and departmental policies and regulations.

(h) It is the policy of the department to assign available manpower in any field service to the areas of the state in proportion to the amount of the statewide problem of that service existing in any particular area so that the department may, as nearly as practicable, render to all members of the public their equitable share of the service available.

Program Mission and Responsibilities

The basic mission and responsibility of the Texas Department of Public Safety's Commercial Vehicle Enforcement Service is weighing and checking commercial vehicle traffic operating over the public highways of this state so that compliance with the statutory provisions of law regulating weight, motor carrier safety, registration, transportation of persons, hazardous material and other property can be obtained.

Specifically, the Motor Carrier Safety Assistance Program (MCSAP) in Texas supports the goals of the Texas Department of Public Safety are to reduce commercial vehicle crashes through the enforcement of federal and state motor carrier safety regulations and securing compliance with traffic laws and regulations applicable to the operation of all vehicles.

In addition, the Texas Department of Public Safety will continue to seek the voluntary compliance of carriers and drivers with motor carrier safety and hazardous material regulations by taking the appropriate enforcement action for law violations committed by operators of commercial and passenger vehicles, providing carriers with official notice of equipment defects and/or negligence, compiling statistical information in order to determine problem areas related to equipment defects and driver negligence, and providing educational material to motor carriers and drivers.

The Texas Department of Public Safety will continue to train county and municipal law enforcement agencies to assist in its efforts to aggressively accomplish the stated goals.

Commercial Vehicle Enforcement troopers are responsible for routine law enforcement duties, and have a primary responsibility for enforcing the Motor Carrier Safety Regulations and other laws and regulations involving hazardous materials shipments, commercial driver licensing and insurance, size, weight, and registration and operating authority of commercial vehicles.

The Driver License Division is responsible for licensing competent drivers, the removing the driving privileges of unsafe drivers, and promoting vehicle training and safety initiatives. Additionally, it provides quality, timely, and essential services to law enforcement, criminal justice partners, and customers. The Department provides these services for the benefit of the general public regardless of race, color, national origin, sex, age, or disability.

The Driver License Division is responsible for the following major activities:

- Driver License Field Service
 - Process applications for driver licenses and identification cards.
 - Examination of new drivers
 - Improvement and control of problem drivers
 - Traffic and criminal law enforcement by Driver License Field Service commissioned officers
- Driver License Division Headquarters Service
 - License issuance, renewal, record keeping, and information
 - Evaluation and processing of problem driver records
 - Evaluation and processing of accident records for compliance with the Safety Responsibility Act
 - Maintain the traffic accident records system in accordance with state and federal regulations

Dissemination of Title VI Notification Information

The Department provides information to the public detailing its Title VI/Nondiscrimination obligations and notifies members of the public of the protections against discrimination afforded to them by Title VI and other nondiscrimination requirements.

Information related to the Department's Title VI/Nondiscrimination obligations has been posted in all Texas Driver License Offices, Commercial Vehicle Inspection Facilities and other enforcement areas offering public access and was added to the agency web site. The web address is as follows:

[Texas Department of Public Safety Careers | Department of Public Safety](#)

The specific form of regional public notifications (i.e., posters, pamphlets, brochures, electronic message monitors, etc.) is determined on a case-by-case basis by the Title VI coordinator dependent on the office size and needs.

Subrecipient Review Procedures

The Department has no MCSAP grant subrecipients.

Title VI Training

All new employees will be required to complete training on agency EEO policies, including Title VI, within 30 days of initial hire. An acknowledgement of training for each employee will be kept in Human Resources. All employees are required to complete supplemental training on agency EEO policies every two years.

The specific form of this training will be determined by the Title VI coordinator subsequent to their designation. Texas DPS will update existing Title VI Program training for enforcement personnel as deemed appropriate. The Case Studies and FMCSA Enforcement Memorandum (MC-SEE-2025-0001) have been provided to the agency Title VI Officer for review and inclusion in future Title VI Program training within the agency.

The Department's Training Log has been attached as an amendment.

Access to Records

The Equal Employment Opportunity Office maintains the files on all applicable files under this policy. Upon the completion of any investigation and review by the respective assistant director, special section head, or director's office, the investigation file and copies of all correspondence must be submitted to the Equal Employment Opportunity Office. The complaints and files maintained by the Equal Employment Opportunity Office will be confidential to the extent allowed by state and federal law. Any information related to a complaint or compliance review will be made available to FMCSA upon request during normal business hours.

Complaint Disposition Process

Effective public safety depends upon the personal integrity and discipline of law enforcement professionals. A vigorous complaint investigation process protects both the public and members of the Department. Therefore, the Department will receive complaints of employee misconduct in a manner that is open and courteous. The Department will determine the validity of complaints alleging employee misconduct objectively, impartially and without preconceptions.

The Department is required by Texas law to have procedures in place for any individual to file any type of complaint against one of its employees. Department policy requires any Department employee who is contacted by an individual seeking to complain about that employee's conduct will refer the complaining individual to the employee's immediate supervisor, and any employee of the Department who is contacted by an individual seeking to complain about the conduct of another Department employee's conduct must accept any written material offered and, in addition, attempt to obtain the name address, telephone number, nature of the complaint, name(s) of employee(s) against whom the complaint is being made, date and location of the alleged incident and the names of any witnesses to the alleged incident. The employee receiving the complaint will refer such complaint data to the employee's supervisor at the earliest practical time. Based on the nature of the complaint, it will be routed the appropriate party for handling. Title VI related completes will be routed to the EEO office. Additionally, there are methods for submitting complaints on the Department's website.

According to Department policy, the investigation shall be the top priority of the investigator and completed as thoroughly and quickly as possible. The purpose of the investigation is to seek out the truth and ascertain the facts. The importance of conducting a thorough, accurate, and objective investigation and preparing an accurate, complete, and detailed report cannot be overemphasized. The decision(s) made as a result of the investigation may affect the future or good name of the accused, the complainant, and the Department. The investigator should interview the complainant, the alleged violator, and any other parties who could reasonably be expected to have relevant information. All and any supporting documentation, physical evidence, and other information that may help establish the facts and assist the investigator in determining the credibility of those interviewed should be reviewed and noted in the investigator's report.

Upon request, all employees of the Department of Public Safety are required to participate in investigations conducted under this chapter. All employees shall cooperate fully and shall answer all questions truthfully and thoroughly. Employees shall not obstruct or interfere with the filing of a report or complaint or with any aspect of the investigation. Prompt investigation of all reports of violations of this policy is required.

- a. A determination of whether an investigation is conducted should be made within five (5) working days of the Equal Employment Opportunity Officer's receipt of a formal complaint or the written statement from the employee.
- b. The amount of time it will take the investigator to complete a thorough investigation will vary based on the circumstances and complexity of the complaint. However, the investigation should be completed within fifteen (15) working days from the initiation of the investigation. Any extension of this deadline must be obtained from the EEO Officer or his/her designee by the investigator.
- c. Upon completion of the investigation, the investigator shall prepare a detailed report fully addressing all allegations. The report shall set forth the investigator's review

of the evidence, assessment of the veracity and credibility of those interviewed, and conclusions as to what actually occurred. The Equal Employment Opportunity Officer may request additional investigation in cases as determined. An original of the report shall be given to the Equal Employment Opportunity Office by the investigator upon completion of the investigation.

d. Within five (5) working days of receipt of the investigator's report the Office of General Counsel shall respectively review the investigation and provide a memorandum to the Equal Employment Opportunity Officer regarding the sufficiency of the evidence and what, if any, sections of this policy have been violated.

e. Within three (3) working days of the receipt of the aforementioned memoranda, the Equal Employment Opportunity Officer will forward the investigation report and memoranda with a cover memorandum addressing the sufficiency of the evidence and findings to the respective assistant director, special section head, or Director's office as appropriate.

f. Within three (3) working days of receiving the investigation report the assistant director, special section head, or Director's office will make the final determination regarding the alleged policy violation and issue a written decision. Additional investigation may be requested if necessary. Any additional investigation by the investigator must take place promptly.

All involved parties, including the complainant and the alleged violator, will be informed in writing of the decision and any corrective or disciplinary action taken. If the investigation reveals that violations of this policy occurred, immediate and appropriate corrective or disciplinary action will be instituted by the respective assistant director or special section head and documented in the Equal Employment Opportunity Office file.

In addition to any corrective or disciplinary action taken, a person with an allegation that has been sustained will be required to attend the next scheduled training on diversity, sexual harassment, equal employment, or other remedial training as may be appropriate based on the sustained violation(s) against the employee. The training should be coordinated through the Equal Employment Opportunity Office.

The Equal Employment Opportunity Office maintains the files on all applicable files under this policy, including a complaint log which has been included as Amendment 4.

Community Participation Process

In the event that the Department will be increasing or decreasing the number of publicly-accessed facilities or the services provided at certain publicly-accessed facilities, the Department will evaluate the impact on the public. The evaluation will look into the impact to all stakeholders (regardless of race, color, national origin, sex, age, or disability) regarding their ability to access the facilities/services both prior to the proposed change(s) and following the proposed change(s).

Any office opening or closing will involve public outreach. This outreach will include working with and communicating the change with local officials such as county judges, county commissioners, municipal authorities, and local state authorities such as state representatives and senators. Additionally, the Department will provide public notices about the change in facilities and services.

In the event that the Department determines that it is necessary to conduct a more extensive outreach, the following will be applicable:

(1) Prepare a Stakeholders List. This Stakeholders List is to identify both affected customers (both benefited and burdened by the program) and any advocacy groups, churches, community-based organizations, other advisory bodies, etc. The list should also include demographic information for affected customers regarding race, color, national origin (including Limited English Proficient individuals), sex, age, or disability.

a) The Stakeholders List must be sufficiently inclusive to ensure that the news of the proposed change(s) is communicated to the greatest number of customers;

(2) Plan Public Meetings. Determine an effective number of Public Meetings to hold in strategically-significant areas and at appropriate times to reach the greatest number of customers. Determine the method for and communicate news of the Public Meeting(s) to the greatest number of customers via hard copy publications (i.e., newspapers, newsletters, posters, etc.), electronic media (i.e., website, social media to include Facebook, twitter, etc.), and stakeholder groups listed above.

(3) Publicize Proposed Changes. Determine how to communicate the news of the proposed change(s) to the greatest number of customers via hard copy publications (i.e., newspapers, newsletters, posters, etc.), electronic media (i.e., website, social media to include Facebook, twitter, etc.), and stakeholder groups listed above. This news should be communicated in an accessible and inclusive manner (including foreign language translations, if necessary) that promotes effective public participation and is free of linguistic, cultural, economic or historical barriers.

(4) Conduct the Public Meetings. Ensure that reasonable time is provided for attendees to provide comments regarding the proposed change(s);

(5) Review and Analysis. At the conclusion of the outreach effort, review the comments and analyze the impacts to all customers (regardless of a customer's race, color, national origin, sex, age, or disability) regarding their ability to access the facilities/services both prior to the proposed change(s) and following the proposed change(s). This analysis is required to be sufficiently detailed so that the ultimate conclusion as to how the proposed change(s) will impact customers is well-documented;

(6) Written Report. Prepare a detailed record to capture all aspects of the outreach effort;

(7) Submission to FMCSA. Submit the record to FMCSA. Please note that FMCSA reserves the right to offer comments as deemed appropriate following a review of the record;

(8) Implement the change(s);

(9) Monitor Feedback. Monitor customer communications for a period of time (i.e., six months, one year) for reactions to the change;

(10) Re-Evaluate. Be prepared to adjust the change(s) as appropriate dependent upon the actual impact to customers;

(11) Adjust. Adjust the change(s) as appropriate dependent upon the actual impact to customers. Notification of Title VI Program Protections. Notify beneficiaries of protections available to them under the Title VI Program. Notify the public of procedures for filing a Title VI complaint.

**Status of Corrective Actions to Address Previously Identified Deficiencies
Identified by FMCSA**

The Department has not undergone a Title VI Program Compliance review.

CMV Inspection Selection & Unbiased Enforcement Policy

The Texas Department of Public Safety has adopted a combined CMV Inspection Selection and Unbiased Enforcement Policy as part of its Title VI Compliance policy. This policy will be distributed to affected personnel upon approval of the final approval of the agency's Title VI Program Policy and acceptance by the FMCSA National Title VI Program Manager.

The United States Department of Transportation

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

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

Statutory/Regulatory Authorities

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

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

General Assurances

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

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

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

Specific Assurances

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

1. The Recipient agrees that each “activity,” “facility,” or “program,” as defined in 49 C.F.R. §§ 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 Texas Department of Public Safety, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, all contractors will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of the owner’s race, color, national origin, sex, age, or disability in consideration for an award.”;

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

By signing this ASSURANCE, Texas Department of Public Safety 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.

Texas Department of Public Safety 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 Texas DPS, 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.

Texas Department of Public Safety

(Recipient)

Signed by:
Freeman F. Martin
By _____
61C981EAB8DB484...
**Colonel Freeman F. Martin, Texas Department of Public
Safety**

Date: 12/2/2025 | 8:28 AM PST

APPENDIX A

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

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Motor Carrier Safety Administration (FMCSA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, national origin, sex, age, or disability in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations as set forth in Appendix E, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 C.F.R. part 21, including any amendments thereto.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor’s obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, national origin, sex, age, or disability .
4. **Information and Reports:** The contractor will provide all information and reports required by the Acts, the Regulations and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the FMCSA to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the FMCSA, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor’s noncompliance with the Non- discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the FMCSA may determine to be appropriate, including, but not limited to:

- a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. cancelling, terminating, or suspending a contract, in whole or in part.
- 6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the FMCSA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

APPENDIX B

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

NOW, THEREFORE, the Department of Transportation as authorized by law and upon the condition that the Texas Department of Public Safety will accept title to the lands and maintain the project constructed thereon in accordance with the requirements of the Texas legislature, the Regulations for the Administration of **Federal Motor Carrier Safety Administration (FMCSA) Program**, and the policies and procedures prescribed by the **FMCSA** of the Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, Department of Transportation, subtitle A, Office of the Secretary, part 21, Non-discrimination in Federally-assisted programs of the Department of Transportation, including any amendments thereto pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the Texas Department of Public Safety 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 Texas Department of Public Safety 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 Texas Department of Public Safety its successors and assigns.

The Texas Department of Public Safety, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the Texas Department of Public Safety will use the lands and interests in lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, subtitle A, Office of the Secretary, part 21, Non-discrimination in Federally-assisted programs of the Department of Transportation, including any amendments thereto, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended, and (3) that in the event of breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re- enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.*

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

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY OR PROGRAM

APPENDIX C

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the Texas Department of Public Safety pursuant to the provisions of Assurance 7(a):

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

- A. The (grantee, licensee, permittee, etc., as appropriate) for himself/herself, his/her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add, “as a covenant running with the land”) that (1) no person on the ground of race, color, national origin, sex, age, or disability will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, national origin, sex, age, or disability will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulations, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, Texas Department of Public Safety 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, Texas Department of Public Safety will there upon revert to and vest in and become the absolute property of Texas Department of Public Safety 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.*](#), including any amendments thereto, and 49 C.F.R. part 303;
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601) (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway Act of 1973 (23 U.S.C. § 324 *et seq.*) (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794 *et seq.*) (prohibits discrimination on the basis of disability); and 49 C.F.R. part 27;
- The Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101 *et seq.*) (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982 (Pub. L. 97-248 (1982)), as amended (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987 ([102 Stat. 28](#)) (“....which restore[d] the broad scope of coverage and to clarify the application of title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and title VI of the Civil Rights Act of 1964.”);
- Titles II and III of the Americans with Disabilities Act, which prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131 -- 12189), as implemented by Department of Justice regulations at 28 C.F.R. parts 35 and 36, and Department of Transportation regulations at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex);
- Title IX of the Education Amendments of 1972, as amended, which prohibits you from discriminating because of sex in education programs or activities (20 U.S.C. § 1681 *et seq.*)