



MEMORANDUM

To: Transportation Committee

From: CMAP Staff

Date: April 26, 2013

Re: Self-Certification

The MPO Policy Committee is charged with implementing the metropolitan planning process in accordance with applicable requirements of Moving Ahead for Progress in the 21st Century Act (MAP-21), the Clean Air Act, the Civil Rights Act, and the Americans with Disabilities Act. All agencies involved in the transportation planning process must also be held accountable to these federal requirements. By federal law, agencies providing transportation services and/or receiving federal money must categorically adhere to the requirements described below. This will be certified in a resolution to be brought to the MPO Policy Committee this June.

The ten requirements for self-certification are listed in italics below.

(1) *23 U.S.C. 134, 49 U.S.C. 5303, and this subpart.* These citations summarize the metropolitan planning requirements.

(2) *In nonattainment and maintenance areas, sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506 (c) and (d)) and 40 CFR part 93.* These sections describe the requirements the region must achieve related to achieving the National Ambient Air Quality Standards.

(3) *Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d–1) and 49 CFR part 21.* Title VI prohibits exclusion from participation in, denial of benefits, and discrimination under federally assisted programs on grounds of race, color or national origin.

(4) *49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity.*

(5) *Section 1101(b) of the SAFETEA–LU (Pub. L. 109–59) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded project*

The DBE program ensures equal opportunity in transportation contracting markets and the statute provides that at least 10% of the amounts made available for any federally funded projects be expended with certified DBEs.

(6) *23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts.*

(7) *The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37, and 38. Programs and activities funded with federal dollars are prohibited from discrimination based on disability.*

(8) *The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance.*

(9) *Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender.*

(10) *Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.*