



KAY IVEY  
GOVERNOR

## ALABAMA LAW ENFORCEMENT AGENCY

201 SOUTH UNION STREET, SUITE 300 | P.O. BOX 304115 | MONTGOMERY, AL 36130-4115  
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HAL TAYLOR  
SECRETARY

July 29, 2022

Mr. Kennie J. May, Sr.  
Director  
FMCSA National Title VI Program Manager  
FMCSA Office of Civil Rights, Room #W65-312  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Dear Mr. May,

Please find enclosed the Alabama Law Enforcement Agency's FMCSA Title VI Program Compliance Plan, which includes the Agency's Public Engagement Program, CMV Inspection Policy, Unbiased Law Enforcement Policy, as well as the Title VI Program Assurances for your review and approval.

If you have any questions or comments, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Hal Taylor".

Hal Taylor  
Secretary

cc: Lester Finkle  
Enclosures



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## ALABAMA LAW ENFORCEMENT AGENCY TITLE VI PROGRAM COMPLIANCE PLAN

### POLICY STATEMENT

The Alabama Law Enforcement Agency (hereinafter "ALEA") assures that no person shall on the grounds of race, color, national origin, disability, age or sex, including low-income and limited English proficiency (LEP), as provided by Title VI of the Civil Rights Act of 1964 (Title VI) and all related Nondiscrimination authorities to include Executive Order 13166 (Improving Access to Services for Persons with Limited English Proficiency) be excluded from participation in, be denied benefits of or be otherwise subjected to discrimination under any program or activity administered by the agency. ALEA further assures every effort will be made to ensure nondiscrimination in all of its programs and activities whether those programs and activities are federally funded or not.

Title VI and its implementing regulations require state agencies that receive federal financial assistance to develop and implement plans to ensure no one receiving benefits under a federally funded program is discriminated against on the basis of race, color or national origin. This procedure establishes processes for providing training, reporting compliance and handling allegations of discrimination. (Note: federal financial assistance may include monetary grants, software grants, contracts, loans, etc.) ALEA further assures that Title VI program measures are implemented and monitored and will comply with the provisions of this policy including the requirements of 49 CFR Part 21 and 303.

ALEA includes within its grant package a signed Title VI Program Assurance.

ALEA affords all individuals the opportunity to participate in and benefit from programs and services receiving federal financial assistance. Further, ALEA, its attached agencies and their sub-recipients, and all parties involved shall comply with the provisions of Title VI and related Nondiscrimination authorities.

ALEA has a policy in place for DOJ grants and ALEA adopts it as a policy and complaint procedure for DOT grants where applicable. Additionally, ALEA recognizes the additional protected classes under the Federal Motor Carrier Safety Administration (FMCSA) policies, ALEA's Title VI program ensures no person shall be excluded from participation in, denied the benefits of, or be subjected to discrimination under any program or activity receiving FMCSA financial assistance on the grounds of race, color, national origin, sex, age, low income, LEP, or disability.

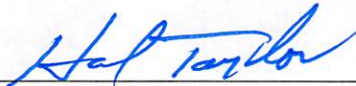
The authority to implement this program and track, investigate and respond to complaints has been delegated to ALEA Personnel Division Director, which has designated an EEO Title VI Program Coordinator to assume the responsibility of developing procedures and training for all ALEA employees. Bureau/Department Designees have also been identified to assist the Coordinator with coordinating the implementation of the program throughout the agency.

**EEO Title VI Program Coordinator**

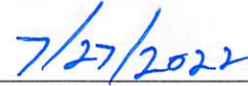
**Keisha Crenshaw  
201 S Union St, Suite 300  
Montgomery, AL 36130  
(334) 676-6203**

**Bureau/Department Designees**

<b>Department of Public Safety: Highway Patrol</b>	Jamaine Isaac, Captain
<b>State Bureau of Investigations</b>	Jason Powell, Special Agent
<b>Department of Public Safety: Driver License</b>	Jon Archer, Chief



Hal Taylor  
Secretary of Law Enforcement



Date



## TITLE VI PROGRAM DISCRIMINATION COMPLAINT PROCEDURES

The Title VI Program discrimination complaint procedure is intended to provide aggrieved individuals a process to bring forth complaints of discrimination regarding federal financial assisted programs, activities and/or services administered by ALEA or its sub-recipients, consultants, and contractors. Title VI of the Civil Rights Act of 1964 states 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 be subjected to discrimination under any program or activity receiving Federal financial assistance." Additionally, FMCSA identifies sex, age, disability, low-income, and LEP as protected groups under its' Title VI Program.

The purpose is to describe the procedure used by ALEA for processing complaints of discrimination under the Title VI Program, while ensuring due process for complaints. This process does not preclude ALEA from attempting to informally resolve complaints. Moreover, the process does not deny the right of a complainant to file formal complaints with other federal agencies or seek private counsel for complaints alleging discrimination.

### PROCEDURES

Staff within ALEA designated to oversee Title VI Program compliance will follow the following procedures in response to complaints.

- A. Allegations of discrimination must be based on race, color, national origin, sex, age, low income, limited English proficiency, or disability.
- B. The complaint may be filed by the complainant or legal counsel in writing no later than one-hundred eighty (180) days after the date of the alleged act of discrimination; or knowledge of alleged discrimination; or where there has been a continuing course of conduct, or the date on which that conduct was discontinued or the latest instance of the conduct.
- C. Title VI Program complaints must be submitted in writing and signed by the aggrieved person or representative. The complaint should include the complainant's name, address and contact number, basis/details of the complaint to include the individual/entity giving rise for the complaint, and the location of the incident. Complaints may be submitted by mail, fax, or e-mail.

Mailing Address: Alabama Law Enforcement Agency (ALEA)  
ALEA Personnel Division – EEO Title VI Program Coordinator  
P.O. Box 304115  
Montgomery, AL 36130-4115

Fax Number: (334) 353-0900  
E-Mail: Keisha.Crenshaw@alea.gov

- D. Within ten (10) workdays of the receipt of the complaint, the EEO Title VI Coordinator will acknowledge receipt of the complaint and provide relevant information.
- E. Within sixty (60) days of receiving the complaint, ALEA will complete the investigation while reserving the right to extend the time required to complete the investigation should such an extension be deemed necessary by the Office of the Secretary.
- F. Upon completion of the investigation, an Investigative Report will be completed and forwarded to the ALEA Personnel Director and Chief Legal Counsel or his/her



designee(s) for review (requests for additional information may be deemed necessary). Once finalized, the information will then be presented to the Secretary and a remedy will be proposed for implementation.

- G. The complainant will be provided written notification of the results of the investigation and, if applicable, associated remedy.
- H. The Administration Bureau will maintain a complaint log documenting each Title VI complaint and such log will be available to the DOT upon request.

### DISMISSALS

ALEA will make all reasonable attempts to investigate and resolve complaints of discrimination with regards to Title VI and related nondiscrimination authorities. However, the following reasons will constitute the dismissal of a complaint filed with the agency:

- (1) The complaint is not timely filed;
- (2) The complaint does not allege any adverse action with regard to covered programs or statutes;
- (3) The complainant submits a request to withdraw the complaint;
- (4) The complainant fails to respond to requests for information necessary to investigate a complaint; or
- (5) The Agency is unable to contact the complainant after making reasonable attempts to do so.

### DISSEMINATION OF TITLE VI PROGRAM INFORMATION TO BENEFICIARIES/PARTICIPANTS

ALEA has a public notification on our website to inform public beneficiaries of our Title VI Program assurances and responsibilities. The notification includes a statement that ALEA's Title VI program ensures no person shall be excluded from participation in, denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal Motor Carrier Safety Administration financial assistance on the grounds of race, color, national origin, sex, age, low income, limited English proficiency, or disability. It also identifies procedures in which to request information, file a discrimination complaint against ALEA, and the contact information for the Title VI Program Coordinator. Additionally, ALEA provides other educational methods such as but not limited to available brochures located at its public locations.

### TRAINING

The Title VI Program Coordinator is responsible for providing annual training internally and externally on Title VI Program related issues. The training provided may be in one-on-one, webinar, teleconference, or onsite training with the FMCSA Basic Title VI Program PowerPoint presentation and any supporting documents being the primary component. Updates to the training material utilized during annual training are conducted as updated training material is received from the FMCSA.

The coordinator will provide annual training to Bureau/Department Designees covering topics such as Title VI Program enforcement, requirements, compliance, and general updates on related issues.

## ACCESS TO RECORDS

Title VI Program records will be kept confidential with the ALEA Personnel Director being designated as records custodian. ALEA will make available any records relating to Title VI Program compliance upon request by the FMCSA.

## SUB-RECIPIENT COMPLIANCE REPORTS

ALEA does not sub-award FMCSA funds to other Recipients.

## STATUS OF CORRECTIVE ACTIONS IMPLEMENTED BY APPLICANT TO ADDRESS DEFICIENCIES PREVIOUSLY IDENTIFIED DURING A TITLE VI PROGRAM COMPLIANCE REVIEW

N/A

## COMMERCIAL MOTOR VEHICLE INSPECTION SELECTION & UNBIASED ENFORCEMENT POLICIES

ALEA has a Commercial Motor Vehicle Inspection Selection Policy in place which references the Commercial Vehicle Safety Alliance's Operational Policy # 13. ALEA's Secretary of Law Enforcement has approved and signed the policy *See Appendix D*.

ALEA also has an Unbiased Law Enforcement Policy in place which includes references to the signed FMCSA Title VI Program Assurances. The policy recognizes the protected groups which are identified under the FMCSA Title VI Program and includes the Public Notice of Title VI Program Rights, the weblink to the Public Notice, complaint disposition including coordination with ALEA's Title VI Program Coordinator, and statements specifying the Title VI Program training for personnel conducted annually or every-other-year, as well as periodic monitoring of the effective implementation of this policy *See Appendix E*.



## ALEA Driver License Title VI Public Engagement Plan

### I. Introduction

- a. ALEA is dedicated to engaging the public to provide better services and ensure uniformity and consistent operations for all citizens of our state and other recipients of our services. This document describes our plan to meet this goal.
- b. As ALEA progresses towards improved service, it will continue to provide a variety of opportunities for the public to learn about ALEA, as well as provide feedback to ALEA to help us improve our services. These opportunities will include ALEA-led public meetings, other meetings where ALEA has been invited to participate, web-based forums and social media. Our goal is to reach as many people as possible.

### II. Stakeholders

- a. The diverse demographics of Alabama can present difficulties providing uniform and consistent licensing services. Our state has numerous dense and highly populated regions, as well as vast rural and sparsely populated areas. Alabama has a 35.3% minority population, but often a much higher minority population in rural areas. ALEA is committed to serving all communities in Alabama with great services.
- b. ALEA's licensing operations potentially affect all residents of Alabama age 13 and older<sup>1</sup>, as well as many out-of-state visitors to Alabama. For a breakdown of the state population by demographic group, see *Appendix A*.
- c. When a change in ALEA operations may take place, ALEA will contact local elected officials in the geographical areas of potential effect to make its plans known and encourage feedback from the local officials.
- d. To allow individuals and entities with interest in driver license matters (and other ALEA-provided services) to receive more information, ALEA will provide an online sign-up form to let us know their specific interests and provide us with contact information. ALEA will use their contact information to send updates and notice of opportunities.

### III. Public Meetings Plan

- a. Anytime a change in ALEA Driver License operations is necessary, such as a change in a license office location or type of service provided, ALEA will reach out to the potentially affected communities for explanation and feedback to present comments and concerns.

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<sup>1</sup> A vessel operators' certificate may be issued to any qualified person age 13 or older.



## ALEA Driver License Title VI Public Engagement Plan

- b. Community outreach will be conducted through a public meeting or by establishing a designated time for any member of the public to meet directly with an ALEA official.
- c. These opportunities will take place at or near the location where the change will take place. ALEA will coordinate with local officials to use facilities for the meetings with adequate access for people with disabilities.
- d. ALEA will advertise the opportunity through local news media and online. ALEA maintains a list of each media outlet within each county, as well as statewide media contacts. Public Affairs Officers (PAOs) will have the responsibility to directly contact each media outlet and ask them to engage in public outreach. ALEA will also use its public website, Facebook and Twitter to announce all public meetings.
- e. ALEA will list all meetings on its website and link any materials used for the meetings. All notices and materials will be made available in English and Spanish languages.
- f. With notice, ALEA will provide translation services upon request. The opportunity for interaction in a different language than English, may be scheduled at a different time. ALEA will coordinate language translation through local universities and colleges.
- g. All PAO staff, as well as all DL office staff, will receive training on Title VI issues annually.

### **IV. Publicize Proposed Changes**

- a. ALEA will post a notice in all impacted Driver License office locations, as well as all county offices that provide license services, 90 days prior to changes in operations. These changes will also be posted on the ALEA public website, and through Twitter and Facebook feeds.
  - i. Signage shall be provided in English and Spanish languages. Reasonable accommodations for other languages will be made.
- b. The ALEA Public Affairs Office will directly contact the local newspaper most closely related to an office that has potential changes. This office will also send out a statewide press release to all media, including print, television and radio.
  - i. The sworn personnel of the Alabama Law Enforcement Agency's Public Affairs Unit provide information to the public, media, law enforcement agencies, constituents, agency staff and others concerning ALEA operations and all aspects of law enforcement and traffic safety; conduct safety programs and campaigns; and are responsible for recruiting efforts by producing and distributing recruiting materials and making individual and group contacts. *See Appendix B for details.*

## ALEA Driver License Title VI Public Engagement Plan

- c. ALEA's Driver License Division Chief will send notice to a county commission for any potentially-affected-county of proposed changes to ALEA services 90 days prior to changes.

### **V. Conduct the Public Meetings**

- a. At each ALEA license office potentially affected by a change, ALEA will provide public opportunity to express concerns or ask questions to senior agency officials prior to any proposed change of service. Such opportunities will be announced via local media, social media and through signage at the office and in associated county offices at least 30 days out. The senior official will be available for at least two hours during business hours and will not be responsible for conducting any other services so he or she can focus on providing attention to customers' concerns or questions. At its discretion, if a change is so significant as to affect the entire community served by that office, ALEA will host a public meeting.
- b. In preparation for a public meeting led by ALEA, ALEA will analyze and determine community norms for the location to best provide the public opportunity.
- c. ALEA PAOs are invited to conduct public-service educational sessions throughout the state; sometimes as many as 30 per month. Every PAO will dedicate a segment of each session explaining local offered licensing services and give the audience an opportunity to ask questions or raise concerns, either during the session or afterward. If proposed changes may occur in or near the location of the session, the PAO will specifically discuss those changes. When possible, notice of such educational session will be advertised at the local DL Driver License office.
- d. Annually, ALEA will send a letter to every county commission expressing its willingness to host or participate in a town hall meeting for the county.
- e. When public meetings are within the direction and control of ALEA, provisions will be made to assure access by people with disabilities.

### **VI. Other Public Engagement Opportunity**

- a. ALEA will maintain a Title VI Civil Rights section on its public website. Within this section, it will provide a public feedback mechanism for easy submission of ideas, concerns or questions. This mechanism will be monitored daily by the ALEA Public Affairs Office. A person posting a comment can provide their contact information and request a response or make an anonymous posting. This section of the website will also maintain a list of upcoming public opportunities described earlier.
- b. The Public Affairs Office will submit a quarterly summary of comments to the ALEA Driver License Division Chief and the Title VI Coordinator.



## ALEA Driver License Title VI Public Engagement Plan

### VII. Review and Analysis

- a. After any outreach opportunity, the agency official conducting such opportunity will write up a report detailing concerns and summarizing questions occurring during the session. These reports will be sent to the Driver License Division Chief and the Title VI Coordinator for review.
- b. The Chief and Coordinator will analyze all submitted reports and summaries, and determine if improvements or changes should be made, or otherwise what, if any, proper course of action should be taken to respond to concerns. Such analysis will be documented as to how the proposed change(s) will impact customers and be maintained by the Title VI Coordinator.
- c. ALEA will post report summaries in the Title VI Civil Rights section of its website of comments received, how comments were addressed, and other aspects of public meetings or opportunities.
- d. ALEA will evaluate the effectiveness of outreach efforts (i.e., meetings held and breakdown of participants, did participants represent those that may be affected by the proposed change, etc.).

### VIII. Written Report

- a. Annually, the Title VI Coordinator will prepare a detailed record to capture all aspects of the outreach efforts by ALEA. This report will be submitted to DOT and FMCSA. On a periodic basis or as events occur, ALEA will report directly to FMCSA of concerns received and ALEA's responses or planned actions. This year's report includes outreach efforts by ALEA regarding the recent implementation of its new driver license system. *See Appendix C for details of ALEA's 2022 LEADS Implementation.*<sup>2</sup>

### IX. Adjustments

- a. If the ALEA Driver License Division Chief and the Title VI Coordinator determine that services are having a negative impact on any part of the customer base and changes may be necessary to improve or remove a negative impact, recommendation for such change shall be made to the ALEA Secretary. If the recommendation for a service change is approved by the ALEA Secretary, the process of notice and public engagement will begin. This process will be designed to meaningfully provide the public with an opportunity to provide input into the nature and ultimate outcome of the proposed service change.

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<sup>2</sup> The Alabama Law Enforcement Agency Driver License System, known as LEADS, is the new modernized driver license system implemented statewide in April 2022. LEADS replaced the old driver license system.



## ALEA Driver License Title VI Public Engagement Plan

### **X. Post Change Feedback**

- a. After a change, each ALEA Office will encourage customer feedback through the public comment mechanism on the website and through a feedback box located at every office.
- b. Each District Commander over licensing offices will instruct staff on encouraging feedback and collecting comments given locally. Each District will summarize and provide this feedback to the ALEA Driver License Division Chief and the Title VI Coordinator.

### **XI. Notification of Title VI Program Protections**

- a. The ALEA website will add a Title VI Civil Rights section to notify beneficiaries of protections available to them under the Title VI Program and how to file a Title VI complaint.
- b. A notice of Title VI protections will also be posted at each ALEA Driver License office. A detailed pamphlet will also be available upon request. Each of these will be provided in English and Spanish languages.

ALEA Driver License Title VI Public Engagement Plan

Appendix A

County Race Statistics

Source: US Census Bureau 2021

County	Total Estimated Population	Total by Race					*Hispanic Origin By Race	
		White	Black or African American	American Indian & Alaska Native	Asian	Native Hawaiian & Other Pacific Islander	Hispanic	White*
Autauga	55,869	44,439	12,410	2,955	709	591	1,950	42,844
Baldwin	223,234	26,269	35,025	4,378	4,378	876	2,101	36,382
Barbour	24,686	12,282	11,958	11,239	12,482	4,993	1,248	11,309
Bibb	22,394	17,105	4,855	11,239	6,743	2,248	697	16,543
Blount	57,826	56,384	1,063	413	236	59	5,845	50,952
Bullock	10,101	2,797	7,172	93	31	83	939	2,198
Butler	19,448	9,782	8,517	76	264	0	321	2,198
Calhoun	113,605	86,631	25,050	580	1,044	116	4,871	82,456
Chambers	33,254	19,619	13,989	138	311	0	1,002	18,894
Cherokee	26,196	23,171	1,050	200	125	0	475	22,771
Chilton	44,428	39,343	4,663	272	226	91	3,667	36,174
Choctaw	12,589	7,194	5,151	25	25	0	150	7,069
Clarke	23,622	11,949	10,310	137	114	0	341	11,721
Clay	13,235	11,806	1,987	85	43	0	468	11,409
Cleburne	14,910	14,303	453	76	30	15	408	13,955
Coffee	52,342	41,118	9,372	813	921	217	4,767	37,326
Colbert	55,241	46,037	9,368	402	402	57	1,954	44,427
Conecuh	12,067	5,845	5,188	68	34	0	317	5,664
Coosa	10,663	7,075	3,093	7,315	21	167	6,907	6,803
Covington	37,049	31,558	4,766	300	188	0	788	30,995
Crenshaw	13,772	26,942	8,931	263	450	0	938	26,229
Cullman	83,768	85,648	1,253	626	626	89	4,206	81,889
Dale	49,172	35,970	10,658	444	691	99	3,602	33,059
Dallas	37,196	10,195	26,709	113	226	0	451	9,969
Dekalb	71,513	66,355	1,436	1,508	359	431	11,346	56,732
Elmore	81,209	67,335	19,200	447	714	89	2,768	65,013
Escambia	36,633	22,753	22,753	1,358	110	37	954	22,056
Etowah	102,268	82,942	82,942	16,300	722	928	1,857	4,745
Fayette	16,302	14,020	1,861	82	82	0	343	13,742



### ALEA Driver License Title VI Public Engagement Plan

Franklin	31,362	29,228	29,228	576	128	64	6,082	23,946
Geneva	26,271	23,176	2,483	320	107	27	1,255	22,108
Greene	8,111	1,404	6,080	38	31	0	145	1,327
Hale	14,651	6,020	8,513	44	44	0	236	5,872
Henry	17,205	12,362	4,304	86	86	0	463	12,002
Houston	105,882	73,286	29,766	645	1,289	107	3,868	70,170
Jackson	51,626	48,182	1,847	844	317	53	1,742	46,862
Jefferson	658,573	351,273	292,505	2,003	0	668	28,716	326,564
Lamar	13,805	11,964	1,410	55	14	0	287	11,745
Lauderdale	92,729	81,535	9,310	470	846	94	2,915	79,184
Lawrence	32,924	26,009	3,441	1,952	99	0	860	25,281
Lee	164,542	125,116	40,760	709	7,443	177	6,912	119,445
Limestone	98,915	86,659	15,160	860	2,043	215	6,989	80,745
Lowndes	9,726	2,581	7,225	40	50	0	189	80,745
Macon	18,068	3,276	14,540	55	91	0	382	3,094
Madison	372,909	271,905	98,012	3,162	0	395	21,737	253,725
Marengo	18,863	8,833	9,802	57	76	38	570	8,415
Marion	29,709	27,316	1,287	146	88	29	790	26,643
Marshall	96,774	90,959	3,045	1,179	786	393	15,324	77,600
Mobile	413,210	241,648	151,185	3,718	8,675	0	12,805	231,321
Monroe	20,733	10,806	8,115	275	982	0	334	10,571
Montgomery	226,486	77,555	137,825	275	7,733	227	8,870	70,732
Morgan	119,679	101,902	16,448	1,360	866	247	11,130	92,009
Perry	8,923	2,570	5,770	34	51	9	136	2,485
Pickens	19,930	10,848	7,539	56	75	75	1,034	9,983
Pike	33,114	18,871	12,669	231	561	33	792	18,277
Randolph	22,722	17,217	4,134	110	110	22	638	16,668
Russell	57,961	28,833	27,247	411	470	176	3,465	26,307
Shelby	217,702	80,413	9,646	371	5,446	93	13,614	172,672
St. Clair	89,512	184,925	31,993	908	835	227	2,411	3,077
Sumter	12,427	3,187	8,624	24	207	0	170	44,273
Talladega	79,978	45,704	23,746	286	429	0	1,860	28,183
Tallapoosa	40,367	28,962	11,035	164	429	0	1,067	136,204
Tuscaloosa	209,355	144,376	74,685	681	3,859	227	9,534	136,204
Walker	63,521	58,920	4,019	324	324	65	1,945	57,364
Washington	16,326	10,058	3,484	1,197	121	15	1,945	9,891
Wilcox	10,373	2,925	7,323	21	31	0	157	2,841
Winston	23,629	22,682	260	189	95	0	781	22,067

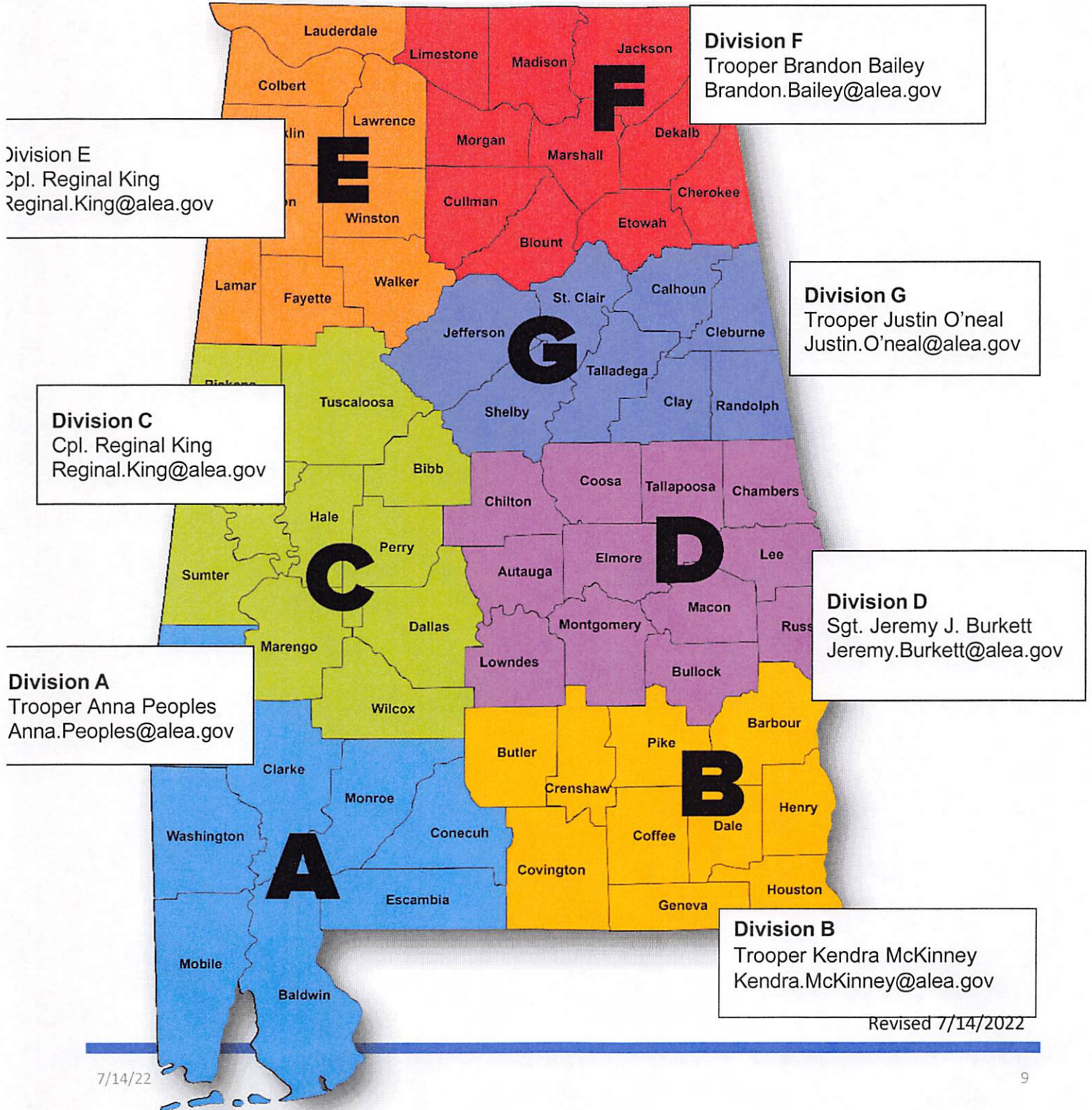


Appendix B

ALEA Public Affairs Regions and Contacts

Sergeant Jeremy Burkett, Statewide Coordinator

Jeremy.Burkett@alea.gov



Revised 7/14/2022



## ALEA Driver License Title VI Public Engagement Plan

### Appendix C

#### ALEA LEADS Upgrade Public Outreach

On February 4, 2022, Governor Kay Ivey issued a statewide press release announcing the unveiling of a modernized driver license system which would provide significant improvements to both citizens and Driver License personnel across the state. The Alabama Law Enforcement Agency Driver License System, simply known as LEADS, completely revitalized the previous system, which had been in place for nearly two decades, by consolidating multiple legacy systems into one integrated, modern system to further protect citizens' data and enhance customer service. Upon implementation, LEADS provided citizens with a variety of new options and enhanced services plus expanded online services. With continuity of uniform and consistent services to our stakeholders during the conversion as top priority, ALEA immediately began taking necessary steps to notify stakeholders and the public and to answer questions, gather feedback, and train Agency employees as well as county licensing office personnel. This section of our plan provides details of our public outreach related to the LEADS system upgrade.

In order to install the new system and hardware, Driver License Offices statewide needed to close between Monday, April 18 and Tuesday, April 26, causing a statewide impact to Alabama citizens. While offices were closed temporarily to the public, online services were also not available. ALEA Examiners continued to administer Class D and CDL Road Skills Tests and County Offices remained open but strictly for revenue and probate services.

#### I. Outreach to Stakeholders

Even before Governor Ivey's announcement, the Agency began notifying elected officials and county licensing partners while gathering feedback about the upcoming improvements and scheduled interruption in services.

In February 2021, ALEA provided the Alabama legislature with a high-level timeline for the DL system modernization project. In January 2022, ALEA published a legislative newsletter including information relative to the DL office closures scheduled for April 2022.

All county licensing officials received a survey in March 2021 asking for information about their facilities for use in planning the new system rollout. Driver License Chief Jonathan Archer emailed those officials on March 19, 2021, announcing the project implementation. On September 1, 2021, he emailed them again about the rollout plan, providing details regarding scheduled visits during which ALEA IT Technicians would collect information to assist in planning for hardware replacements. Announcements related to service upgrades and office closures were published in county partner newsletters in September and November 2021, January 2022, and in April 2022 after LEADS went live. County partners emailed information from those newsletters to residents within their respective counties. All emails and newsletters included the ALEA LEADS email contact, [LEADSInfo@alea.gov](mailto:LEADSInfo@alea.gov), with a request for feedback or questions.

Meanwhile, Archer spoke at the Association of Alabama Tax Administrators Winter Conferences in December 2020 and 2021, the Association of Alabama Tax Administrators DL, Boat, and LEADS class in August 2021, and the Alabama Probate Judge Conference in January 2022 to deliver information about LEADS modernizations and implementation efforts, the necessary interruption of services, and DL office closures. In October 2021 and February 2022, ALEA hosted online LEADS demonstrations for county licensing officials. County officials were provided the [DLInfo@alea.gov](mailto:DLInfo@alea.gov) email address where they could send any questions or concerns. Slides from the



## ALEA Driver License Title VI Public Engagement Plan

demonstrations were sent out to all county officials and a question-and-answer session was held after each demonstration.

On January 6, 2022, Archer emailed county licensing officials with questions and answers from the 2021 Tax Administration Conference. Archer emailed these officials DL office closure signs in English and Spanish for posting in county licensing offices. Those signs were also posted at ALEA DL office locations around the state. Governor Ivey's February 4 press release was forwarded to county licensing officials after its publication.

ALEA issued a second statewide press release on March 16, 2022, reiterating the closure. This release focused on encouraging citizens to complete needed services prior to April closures. Archer emailed county licensing officials again that day reiterating the closures. Subsequent emails in the weeks approaching the conversion advised county officials of installation dates. During the week of closure, ALEA provided conversion and re-opening updates as well as feedback and questions received from customers that week. During March and April 2022, ALEA provided county licensing offices with training for the new system via online videos and exercises. ALEA staff and representatives visited multiple county partner offices to collect information and feedback, ensuring the system being developed would meet the needs of the counties partners.

### II. Notice to Individuals and Entities

In addition to the February and March statewide press releases, ALEA created multiple avenues for individuals and entities with interest in driver license matters to receive information regarding LEADS and the upcoming DL office temporary closings.

ALEA interface partners include agencies and organizations that share data with ALEA's Driver License Division or receive data from DL. These partners include the Alabama Secretary of State, Alabama Department of Revenue, Alabama Department of Human Resources, Alabama Office of Courts, Alabama Department of Conservation, Federal Department of Defense, Federal Department of Homeland Security, Social Security Administration, American Association of Motor Vehicles (AAMVA) to name a few. In preparation for LEADS implementation, ALEA distributed LEADS impact flyers to these partners and hosted multiple meetings with each interface partner, sent countless emails to them, and scheduled casual and structured testing with interface partner personnel.

ALEA representatives posted notifications to local law enforcement detailing the closure and providing information to them on how the closure would impact them. Archer attended multiple meetings with the Alabama Trucking Association during January 2022, where he presented information on the new Federal requirements for the Driver Training Registry and the new modernized driver license system. During these meetings, Archer announced new services being made available to CDL drivers with LEADS.

On February 28, 2022, letters were mailed to 10,699 citizens whose credentials would expire during the April week of closure, encouraging those citizens to renew credentials prior to office closings. Similar letters were mailed to citizens who held a learner permit for six months and would celebrate a 16<sup>th</sup> birthday during the closure week. These letters served as notice of the closure and advised them they could take their Class D skills test that week but would not be issued their credential during the closure.

ALEA issued a third statewide press release on April 11, reminding citizens of the closure dates and urging them to seek services prior to DL office closing.

### III. Publicizing LEADS



## ALEA Driver License Title VI Public Engagement Plan

After Governor Ivey's announcement, ALEA's External Affairs Division created a separate page on ALEA's website at [www.alea.gov/dps/driver-license/leads](http://www.alea.gov/dps/driver-license/leads) to supply the public information pertaining to LEADS and DL office closures. This page included key features of the new system. All LEADS press releases were posted on this page and on the Agency's press release page at [www.alea.gov/news-releases](http://www.alea.gov/news-releases) with an official countdown to the closing dates in a LEADS running banner. The Division worked in conjunction with Governor Ivey's office to temporarily replace the STAR ID banner on the Governor's website with a LEADS banner designed by the team. In compliance with Title VI requirements, the Division listed all LEADS meetings on its website along with a link to the materials used for those meetings. Also, in compliance with Title VI requirements, ALEA coordinated with Alabama Interactive to develop a public comment mechanism on ALEA's website, allowing customers to provide feedback once the installation and modernization process was complete.

In addition, ALEA's External Affairs Division distributed LEADS impact flyers to the Agency's statewide media list and utilized social media throughout the process to keep the public informed on the system's progress, DL service reminders, key features available with the new system, and other pertinent information relative to the process.

After the February 4 announcement, ALEA Public Affairs Officers/Recruiting Coordinators began directly contacting news media outlets, inviting more than 490 media contacts for interviews regarding each press release and the LEADS project. The Division directly contacted newspapers most closely related to the DL offices to ensure they received and published LEADS information and office closing dates. The Division created PSAs and audio recordings which were distributed online and to media partners and scheduled interviews with radio hosts to assist in spreading the message to the broader statewide audience. During the process, press releases, articles, and interviews were shared through more than 70 national, state, regional, and local media outlets.

In addition, PAOs/Recruiting Coordinators placed LEADS flyers and spoke with citizens throughout the state, sharing information about LEADS and DL office closures with nearly 100 businesses, schools, military units, police departments, and civic groups statewide.

### IV. Public Meetings

On March 17, 2022 ALEA issued a press release inviting the public to join online meetings regarding LEADS.

On April 4, 2022, ALEA hosted a virtual LEADS Public Meeting with a call-in option for citizens in Regions A, B, C, and D, which include the following counties: Mobile, Baldwin, Washington, Choctaw, Clarke, Monroe, Conecuh, Escambia, Butler, Crenshaw, Pike, Barbour, Covington, Coffee, Dale, Henry, Geneva, Houston, Pickens, Tuscaloosa, Bibb, Sumter, Greene, Hale, Perry, Marengo, Dallas, Wilcox, Chilton, Coosa, Tallapoosa, Chambers, Autauga, Elmore, Lee, Lowndes, Montgomery, Macon Bullock, and Russell. During this meeting, Archer delivered LEADS and DL office closure information, answered questions, and received feedback from those in attendance.

Then on April 6, 2022, ALEA hosted another virtual LEADS Public Meeting with a call-in option for citizens in Regions E, F, and G, which include the following counties: Lauderdale, Colbert, Franklin, Lawrence, Marion, Winston, Lamar, Fayette, Walker, Limestone, Madison, Jackson, Morgan, Marshall, De Kalb, Cullman, Blount, Etowah, Cherokee, Jefferson, St Clair, Calhoun, Cleburne, Shelby, Talladega, Clay, and Randolph. At this meeting, Archer again delivered LEADS and DL office closure information, answered questions, and received feedback from those in attendance.

### V. Review and Analysis



## ALEA Driver License Title VI Public Engagement Plan

On April 26, 2022, ALEA issued a final press release regarding the completion of the installation and modernization process and to announce the reopening of all DL offices across the state. This release highlighted the new system's key features and benefits. County partners also received a post-upgrade newsletter after LEADS went live.

Throughout the process, county outreach events yielded questions and answers. The QAs were added to each monthly county newsletter sent to all county partners.

ALEA established a designated email address, [DLFeedback@alea.gov](mailto:DLFeedback@alea.gov), so that impacted parties could contact the Agency regarding office closures between April 18 and 22. Feedback received at the email address was unrelated to closure. Emails received were from customers seeking assistance with their specific driver license-related matters. Those emails were processed to the appropriate driver license units for resolution. ALEA will continue to monitor emails to capture feedback.

The Agency held a series of Virtual Sessions with county partners during the closure week. Ten sessions were held during the closure week to ensure all county partner personnel were ready for LEADS.

LEADS online services include a satisfaction survey which allows customers to offer feedback. Since the rollout of LEADS, ALEA can now capture customer feedback about online service transactions. Of the 8,059 feedback submissions received to date, the average response rating is 4.6 out of 5 on a scale from 1 (very dissatisfied) to 5 (very satisfied). Here are a few sample customer comments from LEADS Online Feedback System.

- "I think Alabama finally got something right. Good Job."
- "This was very straightforward, clear, and easy to process. Thanks!"
- "This was a great experience simple and easy. Best DMV experience ever!!!"
- "THIS MAKES EVERYTHING SO MUCH EASIER, ESPECIALLY FOR US SENIORS. THANKYOU!!"
- "Great process, beats going to the office and waiting in line. Thank you for making it so convenient."

ALEA's Driver License personnel will continue to encourage feedback from all partners and the public. Driver License continues LEADS outreach efforts by engaging with customers and county partners to ensure LEADS continues to be a success for the Agency and the State of Alabama.

On July 11th, Archer spoke at the Association of Probate Judges Summer Conference and continues to receive feedback from partners about LEADS. Driver License personnel have also spoken about LEADS at the State Department of Education Summer Conference and Professional Development training events, seeking input from Public School Driver's Education instructors. Driver License personnel are scheduled to speak about LEADS at the Alabama League of Municipalities Fall Conference on September 22nd.

Since the roll out of LEADS, Alabama citizens gained access to online services, services which were available only in person prior to the project. For more information, visit [alabamadi.alea.gov](http://alabamadi.alea.gov).





KAY IVEY  
GOVERNOR

# ALABAMA LAW ENFORCEMENT AGENCY

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HAL TAYLOR  
SECRETARY

**The United States Department of Transportation**  
**Standard Title VI/Non-Discrimination Assurances**  
**DOT Order No. 1050.2A**

The Alabama Law Enforcement Agency (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](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 Alabama Law Enforcement Agency, 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 Alabama Law Enforcement Agency 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 Alabama Law Enforcement Agency 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 Alabama, 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.



*Hal Taylor*

Secretary Hal Taylor  
Alabama Law Enforcement Agency

DATED 7/27/2022

## 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.



## APPENDIX B

### CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

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 **Alabama Law Enforcement Agency** will accept title to the lands and maintain the project constructed thereon in accordance with the Lands Division of the Alabama Department of Conservation, 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 Alabama Law Enforcement Agency 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 Alabama Law Enforcement Agency 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 Alabama Law Enforcement Agency, its successors and assigns.

The **Alabama Law Enforcement Agency**, 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 **Alabama Law Enforcement Agency** 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.)

## APPENDIX C

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

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the Alabama Law Enforcement Agency 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:
  - a. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, national origin, sex, age, disability, income-level, or LEP will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, the **Alabama Law Enforcement Agency** 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 **Alabama Law Enforcement Agency** 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 Alabama Law Enforcement Agency 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 D**

### **CLAUSES FOR CONSTRUCTION/USE/ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM**

The following clauses will be included in deeds, licenses, permits, or similar instruments/ agreements entered into by Alabama Law Enforcement Agency 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, Alabama Law Enforcement Agency 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, Alabama Law Enforcement Agency will there upon revert to and vest in and become the absolute property of Alabama Law Enforcement Agency 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).





**TITLE VI PROGRAM COMPLAINT – FMCSA**

**Section I – Complainant Information**

Name			
Address			
Phone (primary)		Phone (alt)	
E-Mail			

**Section II – Discrimination Description**

Discrimination based on (check appropriate box(es)):

Race  
  Color  
  National Origin  
  Limited English Proficiency  
  Low Income  
 Sex  
  Age  
  Disability

Date(s) of Alleged Discrimination (Month, Day, Year): Earliest \_\_\_\_\_ Latest \_\_\_\_\_

Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. Attach additional sheets if more space is needed.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Section III – Previous Filings**

Have you previously filed a Title VI Program complaint with this agency?  Yes    No

If yes, please provide details: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Section IV – Collateral Complaints**

Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?  Yes    No

If yes, check all that apply and specify entity in which complaint was filed:

Federal Agency \_\_\_\_\_  
  Federal Court \_\_\_\_\_  
 State Agency \_\_\_\_\_  
  State Court \_\_\_\_\_  
 Local Agency \_\_\_\_\_  
  Other \_\_\_\_\_

Please provide information about a contact person at the agency/court where the complaint was filed.

Name		Title	
Agency			
Address			
Phone			

Section V – Complaint Filed Against			
<b>Agency Name</b>			
<b>Contact Name</b>		<b>Title</b>	
<b>Phone</b>			

This form may be supplemented by written materials and/or evidence you deem relevant to your complaint. If you have any questions or concerns prior to completing this form please contact the ALEA EEO Title VI Program Coordinator at 334-676-6205. Persons with disabilities can use the same number to request accommodations in accessing information and/or filing a complaint.

My signature certifies that the information included herein is true to the best of my knowledge, information and belief.

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date

Completed forms may be submitted by mail, fax, or e-mail using the information below.

<b>Mailing Address</b>	Alabama Law Enforcement Agency (ALEA) ALEA Personnel Division – EEO Title VI Program Coordinator PO Box 304115 Montgomery, AL 36130-4115
<b>Fax</b>	(334) 353-0900
<b>E-Mail</b>	personnel@alea.gov

Alabama Law Enforcement Agency  
201 S Union St, Suite 300  
Montgomery AL 36130

## How do I get more information about Title VI Program or file a complaint?

Information can be obtained from the departmental Title VI Program compliance coordinators or ALEA's Personnel Division Director, 201 S Union St. Suite 300, Montgomery, AL 36130.

Complaint procedure: Any person who believes he/she, or any special class of individuals, is subject to discrimination under Title VI Program may file a written complaint through a representative or directly with ALEA's EEO Title VI Program Coordinator. The complaint should contain relevant contact information and details of the allegedly discriminatory action(s). Individuals alleging discrimination by a DOT-funded sub recipient also have the option of filing a complaint directly with the sub recipient.

ALEA does not discriminate on the basis of race, color, national origin, sex, age, low income, limited English proficiency, or disability, upon request, reasonable accommodations including auxiliary aids and services to afford an individual with a disability an equal opportunity to participate in all programs and activities.

To request materials in an alternate format, contact ALEA, Title VI Coordinator, 201 S Union St, Suite 300, Montgomery, AL 36130. You may also call (334) 676-6205 or email to [personnel@alea.gov](mailto:personnel@alea.gov).

# TITLE VI & FMCSA Inclusions

Prohibition of discrimination for programs receiving Federal Motor Carrier Safety Administration (FMCSA) funds



April 2022



## Title VI of the Civil Rights Act & FMCSA

### What is Title VI?

Title VI of the Civil Rights Act of 1964 is a national law that protects people from discrimination based on race, color or national origin in connection with programs and activities that receive federal money. The law states:

No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance.

### What are ALEA'S responsibilities regarding Title VI?

Title VI and implementing regulations require state agencies to develop Title VI plans/reports. All employees of ALEA have a duty to provide program benefits and services in a non-discriminatory manner. This requirement also applies to businesses and other entities receiving federal money from the cabinet.

ALEA is committed to serving all Alabamians.

### What is discrimination?

Discrimination limits equal access to services, opportunities or other benefits. Some examples of illegal discriminatory practices under Title VI include:

- Denying any individual services, opportunity or other benefits for which he or she is otherwise qualified under a federally-funded program.
- Providing any service or benefit to a person that is different or provided in a different manner from that which is provided to others.
- Subjecting a person to segregated or separate treatment in any manner related to receipt of service.
- Restricting a person in any way in the enjoyment of services and other benefits provided to others.
- Administering a program in a way that limits participation by any group of recipients or subjects them to discrimination.
- Permitting discriminatory activity in a facility built, in whole or in part, with federal funds.
- Failing to advise the population eligible to be served or benefited by a program about the existence of the program.
- Locating a facility in a way that would limit or impede access to a federally-funded service or benefit.

### What are some examples relating to ALEA?

Here are some situations that could come under discriminatory practices covered under Title VI:

- Laws under a federally funded program are enforced differently in minority and non-minority neighborhoods.
- A board or advisory body is established by an agency receiving federal money. The agency does not seek minority representation on the board or advisory body.
- The recipient of federal funds discriminates in selection of contractors.
- An agency receives federal funds to perform corrective/remedial work. The money is only used for projects in non-minority neighborhoods.

### FMCSA inclusions

ALEA's Title VI program ensures no person shall be excluded from participation in, denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal Motor Carrier Safety Administration financial assistance on the grounds of race, color, national origin, sex, age, low income, limited English proficiency, or disability.

Many discrimination issues not covered under Title VI are covered under other laws and regulations. For more information, contact the Title VI Coordinator, 201 S. Union St., Suite 300, Montgomery, AL 36130.

## Description of Federal-Aid Programs

Funding Agency	Purpose	Project	Funding	Coverage
Alabama Department of Community Affairs (ADECA)  Driving Under the Influence Grant Program- CFDA#20.600	The goal of the DUI grant is to reduce crashes and increase traffic safety by enforcement, education, and encouraging drivers to willingly obey traffic laws.	Provides funding for overtime personnel costs for law enforcement officers.	Personnel costs, and vehicle maintenance	Statewide
Alabama Department of Community Affairs (ADECA)  Drug Recognition Expert Grant Program- CFDA#20.600	To enable law enforcement officer to recognize impairment in drivers under the influence of drugs other than, or in addition to, alcohol.	Provides funding to train certify law enforcement officers to become a Drug Recognition Expert	Personnel costs, Contractual, Travel, Training, Equipment, Supplies, and miscellaneous	Statewide
Alabama Department of Community Affairs (ADECA)  Selective Traffic Enforcement Grant Program- CFDA#20.600	The goal of STEP grant is to reduce crashes and increase traffic safety by enforcement, education, and encouraging drivers to willingly obey traffic laws.	Provides funding for overtime personnel costs for law enforcement officers and Police Communication Officers.	Personnel costs, and vehicle maintenance	Statewide
Alabama Department of Community Affairs (ADECA)  Bullet Proof Vest Program CFDA#16.607	To provide equipment for law enforcement officers	Provides bullet-proof vests for law enforcement officers	Equipment	Statewide
Alabama Department of Community Affairs (ADECA)  NIBRS Compliance CFDA#16.738	To aid in transitioning law enforcement agencies within Alabama from Uniform Crime Reporting to the National Based Reporting Summary	To provide NIBRS and eCrime training to law enforcement agencies in Alabama	Professional Service, Travel, and Supplies	Statewide
Alabama Department of Community Affairs (ADECA)  ALEA COVI-19 Relief CFDA#16.034	To provide officers with personal protection equipment to prevent exposure to COVID-19.	Provides personal protection equipment for law enforcement officers	Equipment, Supplies, and miscellaneous	Statewide

Alabama Department of Community Affairs (ADECA)  Alabama Drug Enforcement Task Force CFDA#16.738	To support the Alabama Drug Task Force.	Provides funding for overtime, Contractual, Travel, Equipment, Supplies, and miscellaneous	Personnel costs, Contractual, Travel, Training, Equipment, Supplies, and miscellaneous	Statewide
U.S. Department of Transportation - Federal Motor Carrier Safety Administration (FMCSA)  Commercial Driver's License Program Implementation Grant Program CFDA#20.230	To reduce the number and severity of commercial motor vehicle crashes in the United States by ensuring that only qualified drivers are eligible to receive and retain a CDL.	CDLPI provides financial assistance to States to achieve compliance with the requirements of 49 C.F.R. parts 383 and 384.	Personnel costs, Contractual, Travel, Training, Equipment, Supplies, and miscellaneous	Statewide
U.S. Department of Transportation - Federal Motor Carrier Safety Administration (FMCSA)  Motor Carrier Safety Assistance Program Basic and Incentive Program Implementation Grant Program CFDA#20.218	To reduce the number and severity of crashes, injuries, and fatalities involving commercial motor vehicles	Provides financial assistance to reduce the number and severity of crashes, injuries, and fatalities involving commercial motor vehicles.	Personnel costs, Contractual, Travel, Training, Equipment, Supplies, and Miscellaneous	Statewide
U.S. Department of Transportation Federal Motor Carrier Safety Administration  Motor Carrier Safety Assistance Program High Priority Discretionary Grant Program CFDA#20.218	The FMCSA provides MHP funds to enable recipients to carry out enforcement activities and projects that improve CMV safety and compliance with CMV regulations.	Support commercial motor vehicle (CMV) safety programs	Personnel costs, travel, equipment, supplies and operating expense.	Statewide
Alabama Department of Transportation	To provide an increased law enforcement visibility	Provides overtime for law enforcement officers	Personnel costs, and vehicle maintenance	Statewide
Alabama Department of Transportation  Truck Weighing Program	To provide truck weight enforcement on Alabama's roadways	Provides funding for law enforcement officers to enforcement the truck weight guidelines.	Personnel costs, travel, and supplies	Statewide



<p>U. S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention (OJJDP)</p> <p>Internet Crimes Against Children Task Force (ICAC) CFDA# 16.543 - Missing Children's Assistance</p>	<p>The Internet Crimes Against Children Task Force Program (ICAC program) helps state and local law enforcement agencies develop an effective response to technology- facilitated child sexual exploitation and Internet crimes against children.</p>	<p>This help encompasses forensic and investigative components, training and technical assistance, victim services, and community education.</p>	<p>Personnel costs, travel, equipment, training, supplies and operating expense.</p>	<p>Statewide</p>
<p>U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Statistics (BJS)</p> <p>National Instant Criminal Background Check System (NICS) Act Record Improvement Program (NARIP) CFDA# 16.813</p>	<p>The NARIP implements the grant provisions of the NICS Improvement Amendments Act of 2007 (Pub. L. 110-180 (18 U.S.C. § 922 note)) enacted on January 8, 2008.</p>	<p>This program furthers the Agency's mission by improving the records available to NICS, which is accomplished by helping eligible states and tribes improve completeness, automation, and transmittal of records to state and federal systems.</p>	<p>Personnel costs, consultants, equipment, and supplies.</p>	<p>Statewide</p>
<p>U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Statistics (BJS)</p> <p>State Justice Statistics Program for Statistical Analysis Centers (SACs) CDFA # 16.550</p>	<p>BJS is specifically authorized by federal statutes to provide assistance in the development of state and local government justice information systems, and BJS is directed to give primary emphasis to the problems of state and local justice systems (42 U.S.C. §§ 3731, 3732).</p>	<p>This program furthers the Agency's mission by supporting the collection, analysis, and dissemination of statistical information on crime and criminal justice at the state and local level.</p>	<p>Travel costs and Consulting Contract thru the University of Alabama</p>	<p>Statewide</p>

<p>U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Statistics (BJS)</p> <p>National Criminal History Improvement Program (NCHIP) CFDA# 16.554</p>	<p>This program furthers the Agency's mission to enhance the crime fighting and criminal justice capabilities of state and tribal governments by improving the accuracy, utility, and interstate accessibility of criminal history records and enhancing records of protective orders involving domestic violence and stalking, automated identification systems and other state systems supporting national records systems and their use for criminal history background checks.</p>	<p>The program focuses on assisting states and tribes to find ways to make more records available to the National Instant Criminal Background Check System (NICS), including records in the National Crime Information Center (NCIC), criminal history record information available through the Interstate Identification Index (III), and records in the NICS Index.</p>	<p>Consulting Contract thru the University of Alabama</p>	<p>Statewide</p>
<p>U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Statistics (BJS)</p> <p>School Violence Prevention Program CFDA#16.710</p>	<p>This project will provide local law enforcement, authorized State personnel, and other first responders with a direct connection to all applicable data from the specific school</p>	<p>This project will combine these existing capabilities with new operational functionality.</p>	<p>Contractual</p>	<p>Statewide</p>
<p>U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), Grant Programs Directorate (GPD)</p> <p>Homeland Security Grant Program CFDA # 97.067</p>	<p>The objective for the Homeland Security Grant Program is to fund state, local, tribal and territorial entities to prevent terrorism and prepare the Nation for threats and hazards that pose the greatest risk to the security of the United States.</p>	<p>The program is subgrantee program that aids the local governments within the state. Funding maintained on a state level is used mostly to further the efforts of the Fusion Center.</p>	<p>Personnel costs, travel, equipment, supplies, and contractual.</p>	<p>Statewide</p>

<p>U.S. Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), Grant Programs Directorate (GPD)</p> <p>Port Security Grant Program CFDA # 97.056</p>	<p>Provide funding to port authorities, facility operators, and state, local, and territory agencies for activities associated with implementing Area Maritime Security Plans (AMSP), facility security plans, and other port-wide risk management efforts.</p>	<p>This program furthers the Agency's mission by strengthening preparedness and resilience and supporting increased port-wide risk management and protection of critical surface transportation infrastructure from acts of terrorism, major disasters, and other emergencies.</p>	<p>Equipment</p>	<p>Port of Mobile and Port of Ohio Valley (Guntersville)</p>
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**ALABAMA LAW ENFORCEMENT AGENCY**  
**Department of Public Safety**  
**Order No. 7-3 – CMV Inspection Procedures**



Effective: 7/29/2021

Approved by: *Hal Taylor*  
Secretary

*M. Sawyer*  
General Counsel

<b>Section:</b> Operations	<b>Order Number:</b> 7-3
<b>Subject:</b> CMV Inspection Procedures	
<b>Effective Date:</b> July 28, 2021	<b>Amends/Rescinds:</b>

## I. PURPOSE

To establish guidelines and procedures for personnel assigned to the MCSU to be followed concerning how and when driver/vehicle inspections are conducted.

## II. POLICY

- A. MCSU officers/inspectors will conduct driver/vehicle inspections in accordance with the guidelines outlined in the Commercial Vehicle Safety Alliance (CVSA) Policies and Procedures.
- B. The driver-vehicle examination will be conducted on drivers and vehicles in operation on the highways, in locations that are safe to the officer/inspector, driver and general public and the result recorded on the Driver-Vehicle Examination report. The driver-vehicle examinations are to be promptly and efficiently conducted.

### 1. Applicable Forms:

- a. Aspen (an electronic Driver-Vehicle Examination report) will be used to report the results of driver, vehicle and cargo inspections.
- b. Driver-Vehicle Examination reports (paper form) will be used to report the results of driver, vehicle, and cargo inspections only when Aspen is not working or will not print.
- c. Driver-Vehicle Examination Continuation sheets (paper forms) will only be used in conjunction with the Driver-Vehicle Examination paper forms to record additional violations and defects.
- d. Out-of-Service Vehicle sticker will be affixed to those vehicles that have been placed out-of-service.

### 2. Selection of Inspection Sites

- a. As a general rule, an inspection site shall have a volume of commercial vehicle traffic sufficient to support the work activity.
- b. Inspection sites shall provide safe working conditions for officers/inspectors, truck drivers, and for other authorized personnel.

- c. Inspection sites shall have sufficient space available or reasonably adjacent thereto for the safe parking of vehicles placed out-of-service.

3. Selection of Vehicles for Examination

The following criteria should be considered when selecting CMV's for inspection:

- a. Priority for inspections will be given to those situations where there is an observed violation of law or regulations. This could be a violation related to the driver or the vehicle including equipment or size violations, or weight and load violation.
- b. When available, Inspectors will use standardized electronic vehicle screening systems that utilize VWS tools, Query Central and ASPEN. Those carriers that are either poorly rated or have insufficient data will take priority in the inspection selection.
- c. On those occasions when CMV traffic patterns are minimal, CMVs with no valid CVSA decal may be selected for inspection.
- d. Vehicles displaying a valid CVSA decal will generally not be subject to re-inspection unless an equipment violation is observed or a driver violation is suspected.
- e. ALFA MCSU personnel (to include CVE and COPS certified personnel) shall not interrupt or otherwise disturb any driver of a CMV in an off duty or sleeper berth status when the CMV is legally parked for the sole purpose of conducting a random inspection.
- f. When a driver presents a Driver/Vehicle examination report that was completed within the previous 24 hours, the officer/inspector will review the document. If no out-of-service defects were identified during the previous inspection, or if the previous out-of-service defects were corrected, the driver/vehicle will be released without further examination.
- g. If vehicle out-of-service violations are observed that had been previously documented, the inspector will complete a new driver/vehicle examination report and document the violations again.
- h. Nothing in this selection criteria shall be construed to prevent an inspector from performing a random regulatory inspection at his/her discretion.
- i. In selecting vehicles for inspection, Inspectors shall abide by DPS Policy Order 5-1 (Unbiased Law Enforcement).



- C. **Proper Equipment and Work Attire.** All MCSID officers/inspectors participating in driver-vehicle examinations are to use proper equipment and proper work apparel prescribed by the Division Chief.

**ALABAMA LAW ENFORCEMENT AGENCY**  
Department of Public Safety  
Order No. 5-1 – Unbiased Law Enforcement



Effective: 7/29/2021

Approved by:  Secretary       General Counsel

Alabama Law Enforcement Agency  
Department of Public Safety

<b>Section:</b> Training	<b>Order Number:</b> 5-1
<b>Subject:</b> Unbiased Law Enforcement	
<b>Effective Date:</b> July 28, 2021	<b>Amends/Rescinds:</b>

**I. PURPOSE**

To establish the policy of ALEA that prohibits bias-based law enforcement contacts.

**II. POLICY**

Law enforcement and investigative activities, as well as citizen contacts, shall not be based solely on race, color, national origin, sex, age, disability, low-income, or limited English proficiency; but this does not preclude the consideration of race, color, national origin, sex, age, low-income or limited English proficiency, or other identifiable group when it is a part of a suspect's description or is otherwise validly related to an officer's investigation of criminal activity.

- A. It is the Policy of the Alabama Department of Public Safety to uphold and ensure full compliance with the non-discrimination requirements of Title VI of the Civil Rights Act of 1964 (Title VI) and related non-discrimination authorities as identified in the FMCSA Title VI Program Assurance signed by the Alabama Law Enforcement Agency, Secretary of Law Enforcement.
- B. ALEA has adopted a public Notice of Compliance with Title VI Program Rights that informs the public of department's Title VI program assurance and responsibilities. This public notice is posted for public access at this link: <http://www.alea.gov/about-alea/title-vi-civil-rights/title-vi-frequently-asked-questions>

**III. TRAINING**

A. All sworn personnel shall receive annual training to include:

- 1. Review of ALEA Rules and Regulations and policies pertaining to bias-based law enforcement.
- 2. Review of recently enacted legislation and court decisions affecting bias-based law enforcement.
- 3. The ALEA Title VI Coordinator is responsible for coordinating annual Title VI program training for those officers tasked with implementing Federal Motor Carrier Safety Administration (FMCSA) grant funded activities.

A. The training should include a review of this policy, the protected classes identified in this policy, the process for an individual to file a complaint, and information from the FMCSA Title VI Program, to include the Safety Inspections, Compliance Review Program and FMCSA Enforcement Memorandum.

B. Training shall be conducted online and administered by the Alabama Criminal Justice Training Center (ACJTC).



**Alabama Law Enforcement Agency  
Department of Public Safety**

**IV. PREVENTION AND FOLLOW UP PROCEDURES**

- A. Supervisory personnel shall be mindful and sensitive to the possibility of bias-based law enforcement by subordinates and shall periodically monitor the effective implementation of this policy. Supervisors will take immediate investigatory and remedial action to report any possible bias-based incidents.**
- B. Complaints, whether by members of ALEA or by citizens, shall be thoroughly and vigorously investigated by ALEA according to policy and procedures set out in the ALEA Personnel Policies and Procedures Manual.**
- C. Members of ALEA found to be in violation of this policy shall be subject to disciplinary action.**
- D. Supervisors found to have condoned, encouraged or ignored patterns of bias-based law enforcement shall be subject to disciplinary action.**

**V. REVIEW**

**An annual review of ALEA's practices concerning bias-based law enforcement activities, including citizens' complaints and concerns, will be conducted by appropriate personnel designated by the Secretary and reported to the Secretary or his/her designee to assess legal compliance.**