



U.S. Department
of Transportation
**Federal Highway
Administration**

1200 New Jersey Avenue, SE.
Washington, DC 20590

FEB 19 2019

In Reply Refer to: HCR-20
DOT# 2018-0097

Norman D. Davis, Director
Department of Civil Rights, City of Madison
City-County Building, Room 523
210 Martin Luther King, Jr. Boulevard
Madison, Wisconsin 53703

Subject: Dismissal of Complaint DOT #2018-0097

Dear Mr. Davis,

This letter is to inform you that the Federal Highway Administration (FHWA) Office of Civil Rights has determined that it will dismiss the above complaint, which alleged violations that may be related to the Age Discrimination Act of 1975, as well as the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973 (ADA/Section 504). To be accepted for investigation, a complaint must meet the jurisdictional requirements described in FHWA's Investigations Manual, which conforms to the U.S. Department of Justice's procedures and standards for investigating complaints of discrimination. First, the complaint must be in writing. Second, it must describe an alleged discriminatory act that, if true, would fall under FHWA's jurisdiction and potentially violate FHWA's nondiscrimination regulations. Finally, it must be filed within 180 calendar days of the alleged discriminatory act.

You alleged that the Wisconsin Department of Transportation (WisDOT) created an adverse, disparate impact for minority residents when it decided to close, combine, and relocate two Department of Motor Vehicle services centers in Madison, Wisconsin. Specifically, you stated that WisDOT closed one service center at 4802 Sheboygan Avenue and another at 6514 Odana Road, and opened a new location at 8417 Excelsior Drive in Madison. While both of the old locations were near transit lines, bus stops, and within walking distance of areas with large minority populations, you alleged the new location did not provide adequate transit or pedestrian access to these populations.

After careful consideration, FHWA has determined it will dismiss your complaint. Although WisDOT is a recipient of federal assistance from FHWA, the transit and licensing activities described in the complaint are not covered by FHWA's jurisdiction. For these reasons, this complaint will be dismissed by FHWA and closed with no further action at this time. FHWA notes that nothing in this letter precludes you or another complainant from filing a complaint related to these matters with another federal agency or modal administration within the U.S. Department of Transportation.

If you have any questions, please contact Nichole McWhorter at (202) 366-1396.

Sincerely,



Nichole McWhorter
Title VI Team Leader
Office of Civil Rights

Cc Michael Davies, Division Administrator, FHWA WI Division Office
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