



U.S. Department
of Transportation
Federal Highway
Administration

Memorandum

Subject: **ACTION:** (b) (6) v. Pennsylvania Department of Transportation DOT# 2017-0210 Date APR 11 2017

From: Irene Rico 
Associate Administrator for Civil Rights

To: Regina Morgan
Director, Office of Civil Rights (NCR-010)
National Highway Traffic Safety Administration

The attached complaint is being forwarded to your office for appropriate action. The complaint was received in the Federal Highway Administration (FHWA) Office of Civil Rights on March 24, 2017, from the FHWA Pennsylvania Division Office who received the complaint from the Pennsylvania Department of Transportation on March 24, 2017.

The complainant, (b) (6) alleges that the Pennsylvania Department of Transportation licensing procedures are discriminatory on the basis of national origin.

The FHWA has provided written notice informing the complainant of the referral.

If you have any questions regarding this submission, please address them to Mr. Kevin Resler of my staff at 202-366-2925.

2 Attachments

cc: Renee Sigel, Division Administrator, FHWA Pennsylvania Division Office
Mitchell Khan, Civil Rights Specialist, FHWA Pennsylvania Division Office
Lisa MacPhee, Senior Attorney-Advisor, FHWA Office of Chief Counsel
Yvette Rivera, Associate Director, Equal Employment Opportunity Programs Division
Megan Jensen, Program Analyst, FHWA Office of Civil Rights

(b) (6)

Governor Wolf,

I would like to bring your attention to the trouble I have experience with Pen-dot. I just want you to make aware I'm a naturalized US Citizen (immigrant from Nepal). I have been to Penn-dot (Bridgville) with my dad to take the driver written knowledge test, unfortunately there was a language barrier and he wasn't able to complete the test. I have requested an interpreter for him and no one was available; however penn-dot offer me the contact information for interpreter service.

I have contacted the interpreter and he offers to submit my dad application requesting interpretation services to pen-dot. Regretfully, penn-dot denied the application for use of interpreter service on the ground of citizenship (He is a US citizen as well).

I hope you agree with my language is not a knowledge, but only the medium of communication and no one should denied to use an interpreter when one needed. I feel this was clear humiliation by penn-dot towards my dad and immigrant citizens as a whole.

I would like to see if you will be able to use your power of office to request a special waiver from Penn dot or any other means for my dad case, so he can bring any individual who is both fluent in English and Nepali and use at the testing site for interpretation service.

Below is my dad information

(b) (6)

RECEIVED
PA. DEPT. OF TRANS.

MAR 17 2017

SECRETARY'S OFFICE



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

1200 New Jersey Ave., S.E.
Washington, DC 20590

**In Reply Refer To: HCR-20
DOT# 2017-0210**

APR 11 2017

(b) (6)

This letter is in reference to your complaint dated March 17, 2017, originally sent to the Office of Governor Tom Wolf. The U.S. Department of Transportation's Federal Highway Administration (FHWA) Pennsylvania Division Office referred your complaint to the FHWA Office of Civil Rights on March 24, 2017.

Your complaint alleges that the Pennsylvania Department of Transportation's (PennDOT) licensing processes discriminate on the basis of national origin.

After a thorough review of the complaint, the FHWA has determined that the allegations in the complaint are not within the jurisdiction of the FHWA. The FHWA's Office of Civil Rights does not have oversight and enforcement authority over the PennDOT drivers licensing processes. The issue you raised may fall under the jurisdiction of the U. S. Department of Transportation's National Highway Traffic Safety Administration (NHTSA), because they handle complaints related to driver's licenses. The FHWA Office of Civil Rights has referred your complaint to the NHTSA for appropriate action. You may contact the NHTSA at:

U.S. Department of Transportation
National Highway Traffic Safety Administration
Office of Civil Rights, NCR-010, Room W43-316
1200 New Jersey Avenue, SE
Washington, DC 20590

Please be advised that the FHWA's Office of Civil Rights has responsibility to investigate individual complaints of discrimination involving violations of the ADA, Section 504, and Title VI of the Civil Rights Act of 1964. These statutes prohibit discrimination based on disability, race, color, or nation origin under any program or activity receiving Federal financial assistance.

If this office can be of assistance to you in any matter under FHWA's jurisdiction, please contact us at (202) 366-0693, or at the address noted above.

Sincerely,



Irene Rico

Associate Administrator for Civil Rights

cc: Renee Sigel, Division Administrator, FHWA Pennsylvania Division Office
Mitchell Khan, Civil Rights Specialist, FHWA Pennsylvania Division Office
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