



In Reply Refer to: HCR-20  
DOT# 2021-0187

August 31, 2021

(b) (6)

**Subject:** Dismissal of Complaint DOT# 2021-0187

Dear (b) (6),

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 alleges violations that may be related to Title VI of the Civil Rights Act of 1964, the U.S. Department of Transportation (USDOT) Title VI implementation regulations at 49 C.F.R. Part 21 and/or FHWA's Title VI regulations at 23 C.F.R. Part 200 (hereinafter Title VI). Title VI prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance.

To be accepted for investigation, a complaint must meet the jurisdictional requirements provided by 49 C.F.R. § 21.11. First, complaints must be filed within 180 calendar days of the alleged discriminatory act, unless the time for filing is extended by FHWA. Second, the matters must concern recipients of federal financial assistance for a program or programs authorized under a law administered by FHWA. Finally, the complaint must describe an alleged discriminatory act or acts that, if true, would fall under FHWA's jurisdiction and potentially violate FHWA's Title VI regulations.

You allege that the Massachusetts Department of Transportation (MassDOT) discriminated against you because you were from out of state. Specifically, your complaint stems from a ticket you received from MassDOT for a charge you allege you did not incur.

After careful consideration, FHWA has determined that it lacks Title VI jurisdiction over your complaint because the allegations do not pertain to discrimination on the basis of race, color, or national origin. For these reasons, the complaint will be dismissed by FHWA and closed with no further action.

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

Sincerely,

*Nichole McWhorter*

Nichole McWhorter  
Title VI Team Leader  
Office of Civil Rights

cc: Jeff McEwen, Division Administrator, FHWA Massachusetts Division Office  
Kenneth Miller, Deputy Division Administrator, FHWA Massachusetts Division Office  
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