
Appendix F

MPO Self Certification

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Appendix F – MPO Self Certification

Section 450.336 of the Metropolitan Planning Rules (**23 CFR Part 450**) requires that at least every 4 years, the Metropolitan Planning Organization certify that the planning process is addressing the major issues facing the area and is being conducted in accordance with applicable federal laws and regulations. The requirements are contained in the following legislation and regulations:

1. 23 U.S.C. 134, 49 U.S.C. 5303, The Metropolitan Planning Rules

These laws and regulations provide the legal framework for conducting the transportation planning process in Metropolitan Planning Areas. They direct the process for developing transportation plans, programs and activities and promote the safe and efficient management, operation and development of multimodal transportation systems through a continuing, cooperative, and comprehensive planning process.

2. The Clean Air Act (42 U.S.C. 7504, 7506(c) and (d), 23 U.S.C. 134, 40 CFR 93

In non-attainment and maintenance areas, these laws and regulations discuss the planning and development of an air quality State Implementation Plan and require an air quality conformity analysis to demonstrate that the transportation plans and programs are consistent with the objectives of the State Implementation Plan.

3 Title VI of the Civil Rights Act of 1964

Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin in all federally assisted programs. Subsequent laws and Presidential Executive Orders have added handicap, sex, age, and income status to the criteria for which discrimination is prohibited. Furthermore, recipients of federal funding must make environmental justice a part of their agency mission and ensure that individuals are not denied benefits or the opportunity to participate in the public discourse because they have limited English language communication skills. .

4 49 U.S.C. 5332

This section states a person may not be excluded from participating in, denied a benefit of, or discriminated against under, a project, program, or activity receiving financial assistance under this chapter because of their race, color, religion, national origin, sex, disability, or age.

5 Section 1101(b) of the FAST Act –LU (Pub. L. 114-357) and 49 CFR part 26

These sections provide the legal and regulatory framework regarding the involvement of disadvantaged business enterprises in USDOT funded projects.

6. 23 CFR part 230

This section provides regulatory standards for the implementation of an equal employment opportunity program on federal and federal-aid highway construction contracts.

7. The American Disabilities Act (ADA) of 1990 (42 U.S.C. 12101 et seq)

This Act, along with the Department of Transportation (DOT) regulations “Transportation for Individuals with disabilities” (49 CFR Part 27, 37, and 38), prohibit discrimination against people with disabilities in employment, transportation, public accommodation, communications, governmental activities, and at commercial facilities.

8. The Older Americans Act, as amended (42 U.S.C 6101)

This Act prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance.

9. Section 324 of title 23 U.S.C.

This section prohibits discrimination based on gender.

10. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), 49 CFR part 27

This section prohibits discrimination against individuals with disabilities.

The certification of these requirements by the H-GAC Metropolitan Planning Organization and the Texas Department of Transportation follow.

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Resolution

NO. 2020-23

TEXAS DEPARTMENT OF TRANSPORTATION METROPOLITAN PLANNING ORGANIZATION SELF-CERTIFICATION

In accordance with 23 CFR Part 450.336 and 450.220 of the Fixing America’s Surface Transportation Act (FAST Act), the Texas Department of Transportation and the Houston-Galveston Area Council, Metropolitan Planning Organization for the Houston, Conroe–The Woodlands, Lake Jackson–Angleton, and the Texas City Urbanized Areas, hereby certify that the transportation planning process is addressing the major issues in the metropolitan planning area and is being conducted in accordance with all applicable requirements of:

1. 23 U.S.C. 134, 49 U.S.C. 5303, and this subpart;
2. In nonattainment and maintenance areas, Sections 174 and 176(c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506(c) and (d)) and 40 CFR Part 93;
3. Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR Part 21;
4. 49 U.S.C. 5332, prohibiting discrimination on the basis of race color, creed, national origin, sex, or age in employment or business opportunity;
5. Section 1101(b) of the FAST Act (Pub. L. 114-357) and 49 CFR Part 26 regarding the involvement of Disadvantaged Business Enterprises in US DOT-funded projects;
6. 23 CFR Part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
7. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and (49 CFR Parts 27, 37, and 38);
8. The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
9. Section 324 of Title 23 U.S.C. regarding the prohibition of discrimination based on gender; and
10. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR Part 27 regarding discrimination against individuals with disabilities.

TPC Agenda – Item 7
Mailout 6/19/20

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Eliza Paul, P.E. District Engineer
Texas Department of Transportation
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6/29/2020

Date

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Hon. Kenneth Clark, Chairman
Transportation Policy Council for the
Houston- Galveston Transportation
Management Area

7/6/2020

Date

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Donald Smith, P.E. District Engineer
Texas Department of Transportation
Beaumont District

7/6/2020

Date

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Hon, Tom Reid, Secretary
Transportation Policy Council for the
Houston-Galveston Transportation
Management Area

7/7/2020

Date