

# NJTPA Title VI Implementation Plan

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## Disclaimer

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## Acronym Guide

ACS – American Community Survey

ADA – Americans with Disabilities Act

DBE – Disadvantaged Business Enterprise

EEO – Equal Employment Opportunity

EJ – Environmental Justice

FHWA – Federal Highway Administration

FTA – Federal Transit Administration

LEP – Limited English Proficiency

LPA – Local Public Agencies

LRTP – Long Range Transportation Plan

NAAQS – National Ambient Air Quality Standards

NJDOT – New Jersey Department of Transportation

NJ SIP - New Jersey State Implementation Plan

NJTPA – North Jersey Transportation Planning Authority

PANYNJ – Port Authority of New York and New Jersey

PEP – Public Engagement Plan

TIP – Transportation Improvement Plan

UPWP – Unified Planning Work Program

USDOT – United States Department of Transportation

UZA – Urbanized area designated by FHWA or FTA

## Executive Summary

The North Jersey Transportation Planning Authority (NJTPA) is the federally authorized Metropolitan Planning Organization (MPO) for 6.7 million people in the 13-county northern New Jersey region. Each year, the NJTPA oversees the investment of more than \$2 billion in federal funding for transportation projects and provides a forum for interagency cooperation and public input into funding decisions. It also sponsors and conducts studies, assists county planning offices and monitors compliance with air quality goals established in the New Jersey's air quality State Implementation Plan (SIP).

As a recipient of this federal funding, the MPO is required to comply with various civil rights statutes, executive orders, and regulations that are intended to ensure that traditionally underserved populations are included in the planning process and have access to MPO activities. The primary civil rights authorities include:

- Title VI of the Civil Rights Act of 1964, which states that “no persons 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.”
- Executive Order 13166 — Improving Access to Services for Persons with Limited English Proficiency (LEP), which directs federal agencies, and recipients of federal funding, to provide meaningful language access to their services. Under Title VI, LEP is considered the primary marker of national origin.
- Executive Order 12898 — Federal Actions to Address Environmental Justice (EJ) in Minority Populations and Low-income Populations, which requires federal agencies (and recipients of their funding) to address EJ concerns.
- The Americans with Disabilities Act (ADA), which prohibits public entities from discriminating against persons with a disability or excluding them from participation in, or denying them of the benefits of, their services, programs, or activities.

The Federal Transit Administration (FTA) and Federal Highway Administration (FHWA) require the MPO to comply with these civil rights mandates by developing programs to include underserved populations and monitoring and reporting regularly on the programs' success. This implementation plan addresses the reporting requirements under Title VI of the Civil Rights Act of 1964 and FHWA's annual reporting requirements under its Title VI/non-discrimination program. The report provides a detailed look at the demographic composition of the region, while including ways in which the NJTPA will maintain, monitor and analyze information to ensure compliance. The demographic composition of the region's population includes the following:

- A highly diverse population that is 46 percent minority. Hispanic, Black and Asian people comprise the largest groups of minorities in the region. Hispanics are the largest of the three at 21.6 percent of total regional population.
- Approximately 1.5 million people (or 23.7 percent) live below the poverty level threshold.
- Approximately 13.9 percent of the population is considered LEP. Of that, the largest share are the 8 percent (or 503,114) people who speak Spanish or Spanish Creole and speak English less than very well.
- People with disabilities comprise 9.8 percent of the population.
- About 15 percent of the population is 65 and older.

The implementation plan makes the following commitments in keeping with laws and regulations covering MPOs:

- The NJTPA strives to ensure that all segments of the population have the opportunity to be involved in the transportation planning process.
- The NJTPA conducts extensive public outreach and is committed to accessible engagement, including for traditionally underserved residents and those with disabilities or limited English proficiency, as outlined in its Public Engagement Plan.
- The NJTPA's Title VI Coordinator is responsible for overseeing compliance and ensuring implementation of the Title VI program.
- The NJTPA's Title VI Complaint Procedure specifies the NJTPA's process for investigating Title VI complaints, while ensuring due process for complainants and respondents. Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has the right to file a formal complaint. Complaints can be e-mailed to [TitleVI@njtpa.org](mailto:TitleVI@njtpa.org).
- Demographic and other data will be used to analyze and measure transportation investment benefits and burdens to the protected population, including minority and low-income residents, those with limited English proficiency or disabilities, zero-vehicle households, and older residents.
- The NJTPA consistently considers transportation equity when developing studies for the Unified Planning Work Program (UPWP), selecting projects for inclusion in the Long Range Transportation Plan (LRTP), and programming projects in the Transportation Improvement Program (TIP). Taken as a whole, the transportation planning services provided by the NJTPA do not pose disproportionate or adverse impacts on minority populations.

## Section 1: Introduction

### Section 1.1: MPO Planning Process

The NJTPA is the federally authorized Metropolitan Planning Organization for 6.7 million people in the 13-county northern New Jersey region. Each year, the NJTPA oversees more than \$2 billion in transportation improvement projects and provides a forum for interagency cooperation and public input. It also sponsors and conducts studies, assists county planning offices and monitors compliance with air quality goals established in the New Jersey's air quality State Implementation Plan (SIP).

Federal legislation which authorizes funding for transportation improvements requires any urbanized area (UZA) with a population greater than 50,000 to have an MPO to plan for and make decisions on the use of that federal transportation funding. MPOs ensure that existing and future expenditures for transportation projects and programs are based on a continuing, cooperative and comprehensive (3C) planning process. Among other mandated functions, MPOs cooperate with State and public transportation operators to program federal funds for eligible transportation projects.

### Section 1.2: Key MPO Products

Under federal law, the NJTPA is responsible for producing four planning products. These products are listed and described below.

- *Long Range Transportation Plan (LRTP)* —Updated every four years, the LRTP sets out a vision for the development of the region's transportation infrastructure at least 20 years into the future. It includes goals and objectives, analysis of regional trends and planned improvement projects.
- *Transportation Improvement Program (TIP)* —Updated every two years, the TIP is a four-year agenda of improvement projects drawn from the LRTP. To be eligible for federal funding, proposed projects must be approved by the NJTPA Board for inclusion in the TIP.
- *Unified Planning Work Program (UPWP)*—Updated annually and guided by the LRTP, the UPWP summarizes transportation planning activities to be conducted by the NJTPA staff, member agencies and other transportation agencies in the region.
- *Air Quality Conformity Determination*—The NJTPA is required to conduct an analysis of the air quality impacts of the LRTP and TIP, called a conformity determination, to demonstrate that projects and programs conform to the SIP for meeting and maintaining National Ambient Air Quality Standards (NAAQs).

### Section 1.3: NJTPA Board and Advisory Committees

The NJTPA Board includes 15 local elected officials, including one representative from each of the 13 northern and central New Jersey counties as well as from the cities of Newark and Jersey City. These counties and cities are called the NJTPA subregions. The Board also includes a

Governor's representative, the Commissioner of the New Jersey Department of Transportation (NJDOT), the Executive Director of NJ TRANSIT, the Chairman of the Port Authority of New York & New Jersey (PANYNJ) and a citizen's representative.

The NJTPA's Board has three standing committees that make recommendations on action items to be considered by the full Board and a transportation advisory committee: Planning and Economic Development Committee, Project Prioritization Committee and Freight Initiatives Committee. The Regional Transportation Advisory Committee, composed of planners and engineers from the subregions, meets bi-monthly to review regional issues.

#### Planning and Economic Development Committee

The Planning and Economic Development Committee oversees regional and corridor-based planning activities including: the update of the LRTP and NJTPA work related to the Together North Jersey Regional Plan for Sustainable Development (RPSD). The committee also reviews and approves funding for the UPWP; the Study & Development (S&D) Program, which includes future projects in various stages of planning; and the Subregional Transportation Planning and Subregional Studies programs.

#### Project Prioritization Committee

The Project Prioritization Committee oversees all activities related to the annual development and management of the TIP, including modifications and amendments, as well as negotiations with the NJDOT and NJ TRANSIT in the development of the state's annual Transportation Capital Program. The Committee also reviews and approves funding for the NJTPA's Local Safety, High Risk Rural Roads and Local Capital Project Delivery programs, among others.

#### Freight Initiatives Committee

The Freight Initiatives Committee supports the economically vital regional goods movement industry, as mandated by federal legislation. This includes recommendations on strategic transportation investments and policies to keep the region globally competitive. The Committee serves as a forum for dialogue on freight issues between the public and private sectors.

#### Regional Transportation Advisory Committee

The Regional Transportation Advisory Committee, composed of staff from NJTPA member agencies, provides a forum for presentation and discussion on regional issues. It also performs a vital function in reviewing and disseminating information and making recommendations to the NJTPA Board and its individual trustees to aid in decision making.

## Section 2: Title VI Compliance

### Section 2.1: FHWA and FTA compliance

The NJTPA, as the subrecipient of federal funds through NJDOT, has committed that, as a condition to receiving any federal financial assistance from the United States Department of Transportation (USDOT), through FHWA, it will comply with all applicable laws and regulations

relating to Title VI and non-discrimination. A formal statement of assurances is included in Appendix A.

### Section 2.2: Why Title VI and EJ are Important in the Planning Process

Title VI of the Civil Rights Act of 1964 and Executive Order 12898 on EJ are an integral part of the transportation planning and programming process throughout the United States, particularly in urban regions. As stated previously, the NJTPA produces the TIP, LRTP, Air Quality Conformity and UPWP, which are required for the MPO to be certified as meeting federal requirements for metropolitan transportation planning and to receive federal surface transportation funds. All these documents, to various degrees, prioritize projects and programs that address the needs of populations under the EJ and Title VI programs. The commitment to Title VI and EJ has, and continues to be, reflected in the NJTPA's work program, publications, communications, and public involvement efforts.

This Title VI Implementation Plan institutes a framework to ensure compliance by NJTPA with regards to Title VI, the EJ Executive Order and related statutes regarding nondiscrimination.

### Section 2.3: Role of the Title VI Coordinator

In accordance with Title VI requirements, NJTPA Executive Director Mary D. Ameen has designated the NJTPA's Compliance Manager, Karen Rosenberger, to serve as the Title VI Coordinator. The Title VI Coordinator is responsible for overseeing compliance and ensuring implementation of the Title VI program and will have direct access to the Executive Director without intermediary for purposes of discussing and disseminating information related to the implementation of the Title VI Plan. The Compliance Manager position, in which the duties of the Title VI Coordinator are subsumed, reports directly to the Senior Director, Finance and Administration, who in turn reports directly to the Executive Director. In order to both preserve organizational unity of command as well as to facilitate direct access to the Executive Director without intermediary, the NJTPA Title VI Coordinator shall submit all reports and communications concurrently to the Senior Director, Finance and Administration and to the Executive Director on matters pertaining to the NJTPA Title VI Implementation Plan. The Title VI Coordinator is ultimately responsible for the day-to-day administration and monitoring of Title VI and EJ activities and preparing all required reports. Other staff members are expected to provide information and support to assist the Title VI Coordinator in completing tasks that pertain to non-discrimination regulations and procedures detailed in federal guidance and the NJTPA's Title VI Implementation Plan.

In support of this, the Title VI Coordinator will:

- Ensure all NJTPA activities follow the Title VI Implementation Plan and monitor the implementation of the program and any related compliance issues.
- Ensure the collection of data related to this Title VI Implementation Plan, including statistical data (e.g., race, color, gender, age, disability, and language proficiency) for use in planning and monitoring by NJTPA, its subregions, TMAs, consultants, and the public.

- Ensure that Title VI Implementation Plan information is disseminated to NJTPA staff and member agencies, as well as participants in the metropolitan transportation planning process and the public.
- Ensure the inclusion of the Title VI Policy Statement in contracts and organizational materials, products and reports, and ensure that Title VI Implementation Plan policies, provisions, and related requirements are provided, as applicable, to consultants, vendors or other parties under direct contract with the NJTPA.
- Identify, investigate, and address discrimination when found to exist relating to the NJTPA's metropolitan transportation planning process.
- Monitor federal and state laws, rules, regulations, guidelines, and other relevant information pertaining to NJTPA's Title VI Implementation Plan.
- Ensure that the NJTPA maintains a list of interpretation or translation service providers, including MPO staff.
- Ensure that additional language and communication needs are addressed as they arise.
- Prepare annual reports summarizing all NJTPA Title VI activities, accomplishments, and complaints.
- Periodically review the NJTPA's Title VI program to assess whether administrative procedures are effective, staffing is appropriate, and adequate resources are available to ensure compliance.
- Review important issues related to non-discrimination with the Executive Director, as needed.
- Coordinate with appropriate federal, state, and regional entities to periodically provide NJTPA's employees with training opportunities regarding non-discrimination.

The NJTPA will ensure that the metropolitan transportation planning process and its products, including contracts, comply with this Title VI program. Routine compliance discussions will be held with the NJTPA's partner agencies as part of annual program pre-award desk audits (see Section 3.3 Subrecipient Monitoring), and the partner agencies will be encouraged to participate in related training, presentations, conferences, and webinars sponsored by NJDOT, FHWA or FTA.

The NJTPA's Title VI Coordinator is responsible for advising staff about available training in support of Title VI compliance. Information on related training, such as diversity and Equal Employment Opportunity (EEO)/Affirmative Action, is circulated and is also made available to the partner agencies. Materials received by the agency on training and educational opportunities will be made available to all staff members, including any training from NJDOT and federally funded training provided by agencies such as the National Highway Institute and National Transit Institute.

## Section 2.4: Complaint Procedures and Activities

NJTPA's Title VI Complaint Procedure specifies the process employed by NJTPA to investigate Title VI complaints, while ensuring due process for complainants and respondents. This process does not prohibit the NJTPA from attempting to informally resolve complaints where possible.

The Title VI Complaint Procedure applies to all external complaints relating to NJTPA's metropolitan transportation planning process, filed under Title VI of the Civil Rights Act of 1964 (including related Disadvantaged Business Enterprise (DBE) and EEO provisions), as well as other related laws as specified in this Title VI program, which prohibit discrimination on the basis of race, color, disability, sex, age, income or national origin.

The Title VI Complaint Procedure is an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant. Intimidation or retaliation of any kind is prohibited by law. NJTPA will use procedures approved by FHWA to investigate complaints filed directly with the NJTPA against contractors and sub-recipients. This is in accordance with [23 CFR 200.9 \(b\) \(3\)](#). The NJTPA cannot investigate complaints filed against themselves.

Under this procedure, any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has the right to file a formal complaint. The complaint must be filed within 180 calendar days of the alleged occurrence, when the alleged discrimination became known to the complainant, or when there has been a continuing course of conduct, the date on which the conduct was discontinued or the latest instance of the conduct.

Complaints shall be filed by completing and submitting the NJTPA's designated [Title VI Non-Discrimination Complaint Form](#) available on its website (a copy of the complaint form is also available in Appendix C for reference). Complaints can also be submitted without the complaint form, as long as the information required by the form is included in the complaint, including the complainant's name, mailing address, name of agency or department that discriminated, a description of the discrimination, identification of witnesses. Complaints can be e-mailed to [TitleVI@njtpa.org](mailto:TitleVI@njtpa.org). The complaint can also be mailed to the Title VI Coordinator, North Jersey Transportation Planning Authority, One Newark Center, 17th Floor, Newark, NJ 07102 or faxed to the Title VI Coordinator, NJTPA, at (973) 639-1953. "Title VI Complaint" should be noted in the subject line of the e-mail or letter.

If information is needed in another language, the Title VI Coordinator can be contacted at 973-639-8400. The Title VI Coordinator will provide appropriate assistance to complainants who need help filing a complaint, including those persons with disabilities, or who are limited in their ability to communicate in English. Complaints received by telephone will be recorded in writing by the Title VI Coordinator and will be processed after the complainant confirms and edits the statement if necessary. Complaint forms that are prepared by the NJTPA Title VI Coordinator will be processed after they are forwarded to the complainant to be verified, signed, and returned to the NJTPA Title VI Coordinator.



The NJTPA will process written complaints that are complete. Complaints need to adhere to the following:

- Complaints must include the date of the alleged act of discrimination (date when the complainant(s) became aware of the alleged discrimination; or the date on which that conduct was discontinued or the latest instance of the conduct).
- Complaints must present a detailed description of the issues, including the basis of the complaint (e.g., race, color, national origin); and names, agencies and job titles of those individuals perceived as parties in the complained-of incident.
- Complaints must include sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that receives Federal financial assistance.

The Title VI Coordinator will acknowledge receipt of the complaint by letter or email (whichever is applicable) to the complainant(s) and within 10 business days of receipt of the complaint. The letter or email will advise the complainant(s) that the complaint is being investigated and provide a date by which the complainant will receive a response. If a complaint is filed against the NJTPA, then it will be forwarded to NJDOT for processing and investigation.

Should additional information be needed to assess or investigate the complaint, the Title VI Coordinator will contact the complainant within 10 business days of the postmark of the acknowledgement of the complaint. The complainant's failure to provide the requested additional information by the date specified by the Title VI Coordinator could result in the administrative closure of the complaint. If the complaint is rejected, the Title VI Coordinator will inform the complainant of the appropriate appeal authority and set up a timeline for an appeal.

With the complainant's consent, and in the best interests of all parties involved in the complaint, attempts may be made to resolve the matter informally. However, if the complainant is dissatisfied with the NJTPA's decision, he or she may bring the matter to the attention of the NJDOT, FHWA, (USDOT, and the US Department of Justice (USDOJ).

If the complaint has merit, the Title VI Coordinator will supervise a thorough investigation and submit a written Report of Findings to the NJTPA's Senior Director of Finance and Administration for a final determination. Within 60 days of the receipt of the complaint, NJTPA will notify the complainant of its findings, the proposed disposition of the matter, the avenues available for appeal and the timeline to appeal if there is dissatisfaction with the NJTPA's decision. The proposed remedy will include the actions necessary to correct and prevent future occurrences.

NJTPA will issue letters of findings for all investigations processed or develop informal settlements for all complaints processed. In accordance with regulations at 23 CFR 200, NJTPA will forward a copy of the complaint and a copy of the its report of the investigation to the NJDOT and the FHWA Division Office, within 60 days of the date the complaint was received. The FHWA may grant an extension of an additional 60 days for justifiable reasons.

### Section 2.5: Record of Title VI Investigations, Complaints, or Lawsuits

NJTPA must prepare and maintain a list of any active investigations, lawsuits, or complaints naming the NJTPA and/or its subrecipients, that allege discrimination on the basis of race, color, or national origin. NJTPA also has the responsibility to periodically inform the NJDOT and FHWA Division Office of the status of all complaints and lawsuits.

If a Title VI complaint is made against the NJTPA, it will be logged and kept on record file at the NJTPA office. The Title VI Complaint Log will include the following information:

- Name of the complainant(s);
- Date complaint (or lawsuit) was received;
- Nature of the complaint;
- Name of the NJTPA's Title VI Coordinator or other NJTPA representative dealing with the complaint;
- Status; and
- Disposition of the complaint.

### Section 2.6: Compliance and Enforcement Procedures

The MPO provides equal access to the transportation planning process and ensures its policies and programs are non-discriminatory and do not negatively impact minority and low-income individuals. The NJTPA has developed a wide range of procedures to meet the general requirements of Title VI and is committed to ensuring that it complies with applicable federal regulations and procedures. The MPO utilizes uses the following monitoring and program review procedures to ensure compliance with Title VI and address deficiencies where needed:

- Completes Title VI assurance documentation required for federally funded projects or programs.
- Monitors NJTPA programs and activities on an on-going basis to ensure non-discrimination, through daily involvement and reviews of relevant MPO program activities and documents.
- Assesses communication strategies and address additional language needs as they arise. Develops Title VI discrimination complaint procedures and monitors complaint process.
- Provides training to staff and subrecipients on Title VI law and requirements.
- Provides a brochure detailing how NJTPA services and programs are made accessible to individuals with disabilities or limited English proficiency.
- Ensures Disadvantaged Business Enterprise (DBE) participation on the procurement of services through RFP solicitation process.
- Provides information on contract opportunities to minority businesses.
- A Title VI Task Force meets regularly, allowing staff to address issues and concerns pertaining to the NJTPA work program.
- Develops and maintains subrecipient monitoring procedures to ensure compliance with Title VI.

- Participates in quarterly MPO Collaboration meetings with NJDOT, FHWA, FTA and other MPOs.
- Periodically reviews data and data sources on minority and underserved populations.
- Developing and maintaining an Equity Assessment Tool for NJTPA programs
- Develops and maintains Title VI and Environmental Justice Assessment Guide for Planning Studies
- Completes a Title VI/Nondiscrimination Annual Work Plan and Accomplishment Report.

## Section 3: Key Areas of Title VI Activities for NJTPA

### Section 3.1: Planning and Programming

As indicated earlier, the NJTPA is responsible for developing a LRTP, TIP, air quality conformity, and annual UPWP for use in programming federal transportation funding for both planning activities and transportation projects within its planning area. As part of the Title VI requirements, the NJTPA's planning and programming activities seek to ensure compliance by annually collecting data on the region's residents in terms of age, race, income, English proficiency, disabilities and zero-vehicle households. This data will be used to analyze and measure transportation investment benefits and burdens to the protected population, including minority and low-income populations and others. Data gathering procedures will be reviewed regularly to ensure sufficiency of the data in meeting the requirements of the Title VI program. The NJTPA will use this information to inform not only the planning activities, but also support the TIP scoring criteria to ensure equitable investments in the region.

An EJ and Title VI assessment of the metropolitan transportation planning process will be undertaken with the NJTPA's LRTP update every four years to demonstrate that the burdens and benefits of transportation plans and programs are distributed equitably across racial and socioeconomic groups. Using this analysis staff and member agencies can assess the impacts that plans, programs and projects may have on low-income and minority residents and other segments of the population.

In addition, the NJTPA will continue to provide the necessary data and guidance to subregions to ensure that planning studies funded through the NJTPA complete an EJ and Title VI assessment (where applicable). In regard to outreach, the NJTPA is developing a platform to engage, share, and exchange information regarding Title VI and EJ. This platform will support the NJTPA's mission and goals with respect to these federal requirements.

### Section 3.2: Public Outreach and Involvement

#### Section 3.2.1: Four Factor Analysis

Consistent with Title VI of the Civil Rights Act of 1964, USDOT's implementing regulations, and Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (65 FR 50121, Aug. 11, 2000), recipients must take reasonable steps to ensure meaningful access to benefits, services, information, and other important portions of their programs and activities

for LEP persons. This includes conducting a four-factor analysis to determine the specific language services that are appropriate to provide as part of the recipient’s Language Assistance Plan, which is discussed further in the next section.

The four-factor analysis is based on the framework provided in Section V of USDOT’s Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficient (LEP) Persons.

*Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by NJTPA programs, services, or activities.*

LEP populations are comprised of persons who are unable to communicate effectively in English because their primary language is not English and they have not developed fluency in the English language. Thus, people included in LEP populations may have difficulty speaking or reading English and will need translation to and from their primary language. USDOT has adopted the USDOJ’s Safe Harbor Provision, which outlines requirements for translation of written materials for LEP populations. The Safe Harbor Provision stipulates that, if a recipient provides written translation of vital documents for each eligible LEP language group that constitutes 5 percent of the region’s total population or 1,000 persons, whichever is less, then such action will be considered strong evidence of compliance with the recipient’s written translation obligations.

To better understand the number or proportion of LEP persons in the NJTPA region, demographic data for people that speak English “less than very well” (as defined by the Census) was collected and analyzed. Due to limitations in data coverage and availability county level data for the 2015 American Community Survey (ACS) Five Year Estimates was used. Table 1 details the LEP population based on languages spoken at home.

Table 1: Languages Spoken at Home by ability to speak English for the population 5 years and old Over

Languages	Percent Speak Specified Language, Speak English Less than Very well	Total Pop. Speak Specified Language, Speak English Less than Very well	Total Pop. Speak Specified Language, Speak English Very well	Total Population that speak another Language
Spanish Or Spanish Creole	8.0%	503,114	598,564	1,101,678
Chinese	0.7%	42,010	51,673	93,683
Korean	0.6%	36,452	34,886	71,338
Portuguese or Portuguese Creole	0.5%	31,860	41,235	73,095
Polish	0.4%	24,644	31,702	56,346
Gujarati	0.4%	24,287	39,374	63,661
Arabic	0.3%	21,415	37,436	58,851
Italian	0.3%	19,843	42,090	61,933
Tagalog	0.3%	18,801	52,131	70,932
Other Asian languages	0.3%	17,542	55,598	73,140
French Creole	0.3%	16,549	22,065	38,614
Russian	0.3%	16,102	23,328	39,430

Other Indic languages	0.3%	15,935	32,871	48,806
Hindi	0.2%	14,364	49,196	63,560
French (incl. Patois, Cajun)	0.1%	8,586	22,561	31,147
Other Slavic Languages	0.1%	7,537	10,861	18,398
Urdu	0.1%	7,194	18,014	25,208
African languages	0.1%	6,775	22,150	28,925
Vietnamese	0.1%	6,487	5,102	11,589
Other Indo-European languages	0.1%	6,090	12,513	18,603
Japanese	0.1%	4,797	4,466	9,263
Greek	0.1%	4,214	13,192	17,406
German	0.0%	2,961	14,861	17,822
Serbo-Croatian	0.0%	2,555	5,598	8,153
Persian	0.0%	2,326	5,524	7,850
Hungarian	0.0%	1,842	3,505	5,347
Other Pacific Island languages	0.0%	1,650	2,483	4,133
Armenian	0.0%	1,602	3,378	4,980
Other and unspecified languages	0.0%	1,486	2,202	3,688
Hebrew	0.0%	1,278	11,533	12,811
Thai	0.0%	1,098	970	2,068
Yiddish	0.0%	383	5,366	5,749
Scandinavian languages	0.0%	312	2,346	2,658
Other West Germanic languages	0.0%	282	2,349	2,631
Mon-Khmer, Cambodian	0.0%	238	43	281
Laotian	0.0%	103	65	168
Other Native North American languages	0.0%	47	339	386
Hmong	0.0%	-	29	29
Navajo	0.0%	-	19	19
<b>NJTPA</b>	<b>13.9%</b>	<b>872,761</b>	<b>1,281,618</b>	<b>2,154,379</b>

Source: ACS, 2015 Five Year Estimates, Table B16001

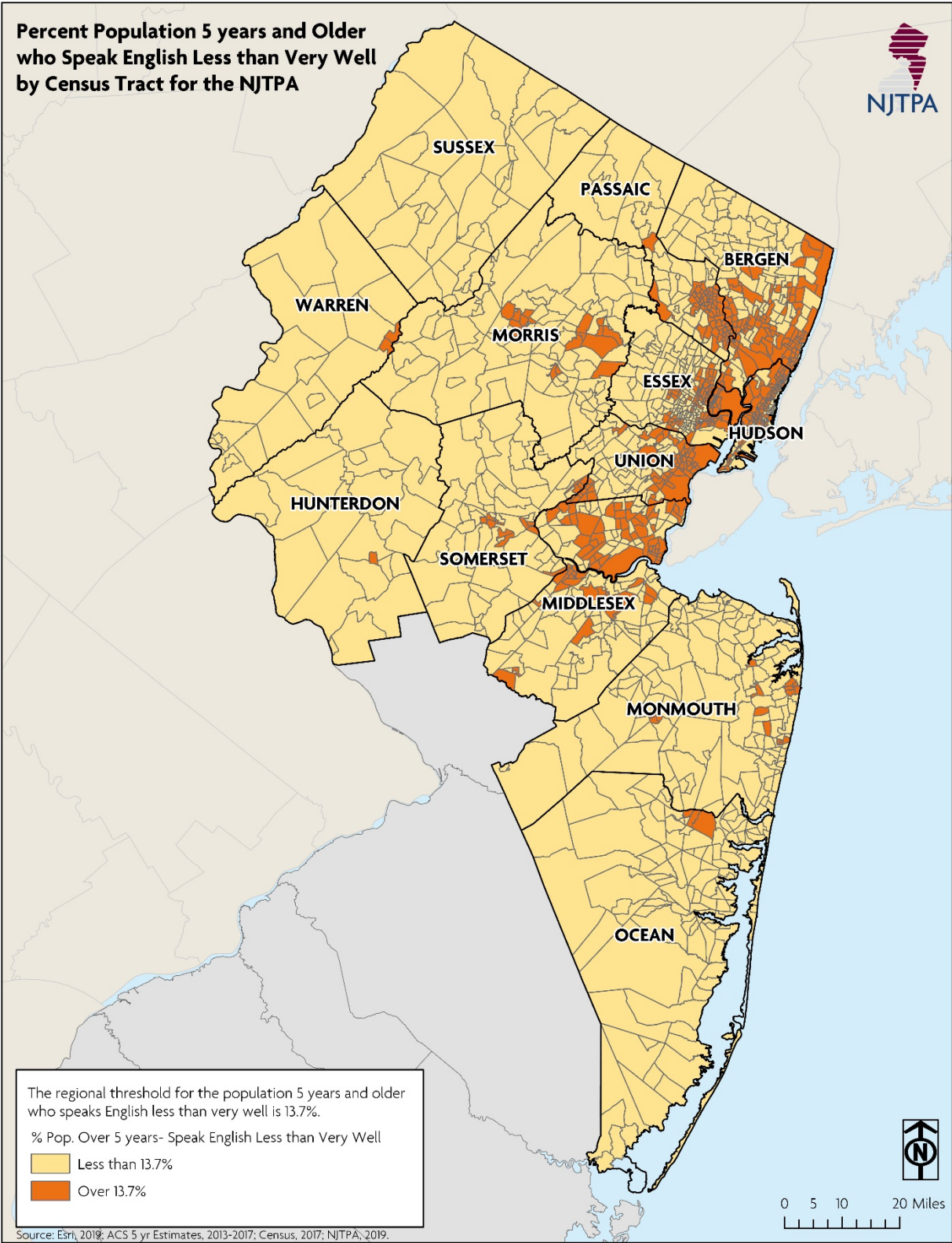
As shown in the table above 13.9 percent of the NJTPA region's population speak English less than very well and are considered LEP. Of that, 8 percent or 503,114 people speak Spanish or Spanish Creole. This is the most significant LEP group in the region. Following Spanish and Spanish Creole are Chinese (0.7 percent), Korean (0.6 percent) and Portuguese or Portuguese Creole (0.5 percent). Under the Safe Harbor Provision, NJTPA is obligated to provide translation of written materials related to the planning products and analyses into languages that meet or exceed the established 5 percent or 1,000-person threshold. Thirty-one languages meet or exceed this threshold. For purposes of these operating procedures, Spanish/Spanish Creole is considered the primary LEP language, while the remaining 30 are considered secondary LEP languages. The

secondary LEP languages will be evaluated for translation and other LEP services on a case by case basis.

The figure below illustrates the spatial distribution of the region as it relates to population 5 years and older who speak English less than very well. The data used to create the map is from 2017 ACS Five Year Estimates, so the regional threshold is slightly different from the table above since the data is more current.



Figure 1: Percent Population 5 years and older who speak English Less than very well



*Factor 2: The frequency with which LEP individuals come in contact with these programs, services, or activities.*

The four-factor analysis identified Spanish/Spanish Creole as the most significant language spoken by the LEP population in the NJTPA region. Staff will continue to monitor the requests for language assistance to gauge outreach effectiveness to these populations.

The NJTPA conducts regular Board meetings, advisory committee meetings, and other public meetings throughout the year. Community outreach and the website are the main source of potential contact between the MPO and LEP persons. While the frequency of contact is difficult to anticipate, the NJTPA endeavors to accommodate the needs of the LEP community on a case by case basis. The need for and the specific mechanisms for conducting outreach opportunities to engage populations that are traditionally not involved in the transportation planning process are outlined in the NJTPA's Public Engagement Plan (PEP). The PEP is discussed in more depth in Section 3.2.2 LEP Plan.

*Factor 3: The nature and importance of the program, service, or activity to people's lives.*

The NJTPA programs use federal funds to plan for future transportation improvements and projects, and therefore, do not include any direct service or program that requires vital, immediate, or emergency assistance, such as medical treatment or services for basic needs (like food or shelter). Further, the NJTPA does not conduct required activities such as applications, interviews, or other activities prior to participation in its programs or events. Involvement by any citizen with the NJTPA or its committees is voluntary.

However, consistent with federal policy the NJTPA must ensure that all segments of the population, (including LEP persons), have been involved or have had the opportunity to be involved in the transportation planning process. The impact of proposed transportation investments on underserved and underrepresented populations is part of the evaluation process for using federal funds in the UPWP, TIP and LRTP.

The NJTPA will place emphasis on language assistance for educational materials and public input related to the three major areas identified above. These materials often are helpful with outreach related to other projects and studies being conducted in the region.

*Factor 4: Available resources and the overall cost to the NJTPA.*

The NJTPA assessed the following available resources that could be used for providing LEP assistance:

- Identifying what staff and volunteer language interpreters are readily available
- Exploring how much translation services would cost
- Identifying which documents should be translated



## Language Assistance

The NJTPA has identified several ways that language assistance services can be provided to LEP individuals in the region.

- The NJTPA uses staff and volunteer (including subregional staff) language interpreters and/or translators as needed. A complete list of staff members who are willing to provide interpretation and written translation services, and the languages they are fluent in, is maintained by the Title IV Coordinator. At the time of this Title VI plan's development, NJTPA staff can translate the following languages: Chinese, Portuguese and Spanish.
- The NJTPA maintains a list of translation and interpretation services that can be used as needed if staff and volunteers are unavailable or unable to meet the LEP language needs for a project or program. These companies offer a wide variety of language translations, including Spanish, Chinese, Korean, Portuguese, Polish, Gujarati and Arabic.

The NJTPA also has a pilot program planned, which could provide additional volunteers translators in the future (see the Public Outreach and Engagement Liaisons section).

### Section 3.2.2: LEP Plan

The NJTPA conducts extensive public outreach and is committed to accessible engagement, as outlined in its PEP (Appendix F). As part of this outreach, accommodations are made to ensure LEP individuals in the NJTPA region are able to participate in the planning process. The NJTPA provides website translation services in a wide range of language through Google translate. In addition, the following assistance is provided:

- **Translation of Key Documents**—Drafts and final versions of executive summaries of core planning products (LRTP, TIP, UPWP, Congestion Management Process Status Report; Transportation Conformity Determination and PEP) will be translated into the primary LEP language.
- **Translation of Outreach Documents**—As part of its public outreach for the LRTP and other core planning documents, the NJTPA will translate meeting flyers, fact sheets and surveys into the primary LEP language. Outreach products will be translated into other languages as needed on a case by case basis.
- **Oral Translation Services**—Upon request, the NJTPA will provide translation services for the primary LEP language at Board and Committee meetings, as well as public meetings for core products and planning studies. Efforts are made to accommodate additional languages upon requests. Requests must be made seven days in advance of a meeting.
  - Requests for translation services can be submitted to [njtpa@njtpa.org](mailto:njtpa@njtpa.org) or by calling (973) 639-8400 between the hours of 9 a.m. and 5 p.m. on weekdays.
- **Public Notice of Language Assistance**—The NJTPA will provide public notice of the availability of language assistance on an on-going basis through the following means:
  - Information on the availability of language assistance will be maintained on the NJTPA website, NJTPA.org, along with instructions on how to access the assistance.

- Brochures containing language assistance instructions will be made available at public meetings and are available in public areas of the NJTPA's office.
- Language assistance notices will be placed with local, non-English language media directed at LEP individuals and their languages.
- Language assistance information and instructions will be provided through telephonic messages through NJTPA's main phone number.

For location-specific planning projects and studies (such as a subregional study, local safety project or local concept development study) funded by the NJTPA, project managers will provide language assistance consistent with the above NJTPA policies for its own meetings and key planning documents. This includes:

- As part of their EJ analysis, project managers will identify LEP populations within the study area as well as thresholds for language assistance. Oral, written and website language assistance will be provided for the primary languages and on a case by case basis for secondary languages. Participating counties/municipalities may also request translations into additional languages based on the needs of the population.
- Project managers must provide notice of availability of language assistance services under the Safe Harbor Provision. This can include brochures or flyers about language assistance services posted online and in public places, meeting handouts and notices submitted to non-English language media directed at LEP individuals in their primary language.
- All public meeting notices, project fact sheets and draft and final executive summaries should be translated into the primary LEP language and any other languages as needed on a case by case basis.

## **PUBLIC OUTREACH AND ENGAGEMENT LIAISONS**

In FY 2020 the NJTPA planned to pilot the Public Outreach and Engagement Liaisons (POEL) program. Due to COVID-19 this project was delayed. This NJTPA has compiled a database of organizations and specific contacts at each organization who have offered to help facilitate communication between the NJTPA and communities where a project or study is occurring, including communities that have traditionally been under-represented in the metropolitan transportation planning process.

These liaisons have diverse backgrounds, skill sets, and abilities enabling them to serve a variety of functions. While many organizations are not hosting meetings or events due to the pandemic, some liaisons have offered to share information with their organizations and members on behalf of the NJTPA. Using these trusted advocates helps ensure that opportunities to participate with the NJTPA feel more accessible, comfortable and familiar for those who might otherwise be left out.

One goal of this pilot program is to recruit liaisons who will be able to boost public participation with LEP persons and provide additional translation services as needed.

### Section 3.3: Subrecipient Compliance and Monitoring

Title 49 CFR Section 21.9(b) states that if “a primary recipient extends federal financial assistance to any other recipient, such other recipient shall also submit such compliance reports to the primary recipient as may be necessary to enable the primary recipient to carry out its obligations under this part.” The primary recipient has a responsibility to both assist and monitor subrecipients for compliance with USDOT’s Title VI regulations. If the subrecipient is not in compliance, then the primary recipient is also not in compliance. The same applies to 2<sup>nd</sup> and 3<sup>rd</sup> tier subrecipients (e.g., NJTPA and its subrecipients of pass-through grants).

The MPO’s Title VI Coordinator works with program managers to conduct periodic pre-grant and post-grant reviews of subrecipients of USDOT funds to ensure adherence to Title VI requirements. Reviews use a combination of desk audits and interviews, if required. Appropriate program staff members routinely update the Title VI guidelines provided to consultants, contractors, and subrecipients including Title VI language, provisions and other related requirements.

Additionally, the NJTPA verifies Title VI compliance by subrecipients and consultants in the contracting process. Submission of assurance forms and signature of the terms of the contract, which includes contract provisions for Title VI compliance, is used to verify the subrecipient’s commitment to compliance by the consultant or subrecipient.

#### **Providing Assistance to Subrecipients**

The NJTPA will make available to its subrecipients information and resources regarding its Title VI program to assist subrecipients in achieving and maintaining compliance. This assistance will most likely be needed when the subrecipient is a first-time grantee or is not also a direct recipient; however, the following information and resources will be made available to all subrecipients, as needed:

- Sample public notices informing beneficiaries of their rights under USDOT’s Title VI regulations, procedures on how to file a Title VI complaint, and the recipient’s Title VI complaint form.
- Sample procedures for tracking and investigating Title VI complaints filed with a subrecipient, and when the subrecipient is expected to notify the primary recipient of complaints received by the subrecipient.
- Demographic information of residents served by the subrecipient. This information related to race, national origin, income and other demographic data will assist the subrecipient in assessing the level and quality of service it provides to communities within its service area and in assessing the need for language assistance and other accommodations.
- Any other available information or data that will assist subrecipients in complying with Title VI, such as the Equity Assessment Guide. The NJTPA is also developing an Equity Analysis web-based application, which will be made available in the future.

### **Monitoring Subrecipient Compliance**

Monitoring subrecipients is a critical aspect of the NJTPA's Title VI program, as all subrecipients must comply. At a minimum, for projects supported by USDOT funding, the NJTPA will review the Title VI and LEP planning efforts of subrecipients to demonstrate compliance with requirements that apply, based on the type of organization and services being provided. Pre-award desk audit reviews of subrecipients will include evaluation of Title VI assurance forms and the NJTPA subrecipient Title VI compliance questionnaire (see Appendix G). The MPO will also review the Title VI/LEP process for subrecipients through program documents, website reviews, direct contact and/or surveys.

NJTPA will conduct reviews of a minimum of two subrecipients each year, one for each major pass-through program and one for other subrecipient activities, if required. Every year, NJTPA will identify subrecipients for a desk review, which will be conducted based on the assessment of risk of non-compliance and potential magnitude of the impact of non-compliance. Those subrecipients are identified based on one or more of the following criteria:

- NJTPA knows of or has received (formal or informal) complaints regarding the subrecipient.
- NJTPA staff identified the subrecipient as having known Title VI issues/concerns.
- The subrecipient has submitted problematic responses to the Title VI compliance questionnaire and/or submitted incomplete Title VI documentation following the questionnaire.
- The subrecipient receives a large amount of funding from NJTPA relative to other subrecipients.
- The subrecipient is new to NJTPA, receives a large amount of funding from NJTPA and requires Title VI training.

### **Consultant Contracts**

The NJTPA is responsible for selecting, negotiating, and administering its consultant contracts and subcontracts with subrecipients of federal funds. The NJTPA operates under its internal contract procedures and all relevant federal and state laws. In addition, the following Title VI language is included in the NJTPA's solicitations and Requests for Proposals (RFPs):

*"The NJTPA 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 interested parties that it will affirmatively ensure that any contract entered into pursuant to this solicitation, disadvantaged business enterprises will be afforded full and fair opportunity to submit proposals in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award."*

## **Remedial Action**

The goal for Title VI and regulatory enforcement is to achieve voluntary compliance. If deficiencies are found during a Title VI review, a letter reporting the deficiencies requiring corrective action will be issued. A compliance conference meeting or phone call with the subrecipient will be held within 30 days of issuing the deficiency report, during which the subrecipient will be able to propose remedial actions to correct the deficiencies. Recipients placed in deficiency status shall be given a reasonable time, not to exceed 90 days after receipt of the deficiency report, to voluntarily correct deficiencies. Subrecipients are expected to correct all deficiencies and provide periodic updates to the NJTPA's Title VI Coordinator. NJTPA will provide technical assistance, as needed, to ensure implementation of the subrecipient's corrective action plan. When the NJTPA has determined that a subrecipient's deficiencies are sufficiently corrected, the subrecipient will be formally notified in writing that the review process is complete and no further progress reporting is needed.

When a subrecipient fails to take appropriate corrective action in response to the reported deficiencies, the subrecipient moves from a deficiency status to noncompliance. Upon finding a subrecipient in noncompliance, the Title VI Coordinator shall immediately notify the subrecipient in writing of the violations and of the steps necessary to correct them. The subrecipient shall implement corrective actions within 30 days of receipt and acceptance of the notification of recommended corrective action. The NJTPA will continue to provide technical guidance and support as appropriate.

If an attempt to secure voluntary compliance with Title VI does not occur within 30 days, or a reasonable period of time, the first step taken by the NJTPA will be to attempt to resolve the issue using normal administrative solutions. However, other sanctions, with the concurrence of NJDOT, may be applied such as withholding payments, suspending or terminating the subcontract, and/or refraining further financial assistance to subrecipients.

## **Section 4: NJTPA Demographic and Transportation Investment Profile**

The following information addresses Title VI reporting requirements for MPOs as described in FTA Circular 4702.1B. The NJTPA is not a provider of fixed route public transportation service; therefore, requirements specific to MPOs serving as transit providers are not included in this section.

All MPO recipients must provide a demographic profile of the metropolitan area within their Title VI program. Data from the 2017 American Community Survey (ACS) Five Year Estimates was collected for six different factors: minority population, low-income population, LEP persons, people with disabilities, zero-vehicle households, and the older adult population in the NJTPA region. The representation for each factor as a percentage of the total population was used to illustrate the community composition. Additionally, the factors were mapped using GIS software and overlaid with the TIP projects to better understand the spatial relationship between

transportation improvement projects and the specific population characteristics identified under Title VI and EJ.

#### Section 4.1: Minority Population

The NJTPA region contains a highly diverse population, of which 46 percent is considered minority. For the purpose of this analysis minority is defined as the total population minus White Alone-Non-Hispanic or Latino. The racial composition of the region is depicted in table 2.

Table 2: Racial Composition of the NJTPA region

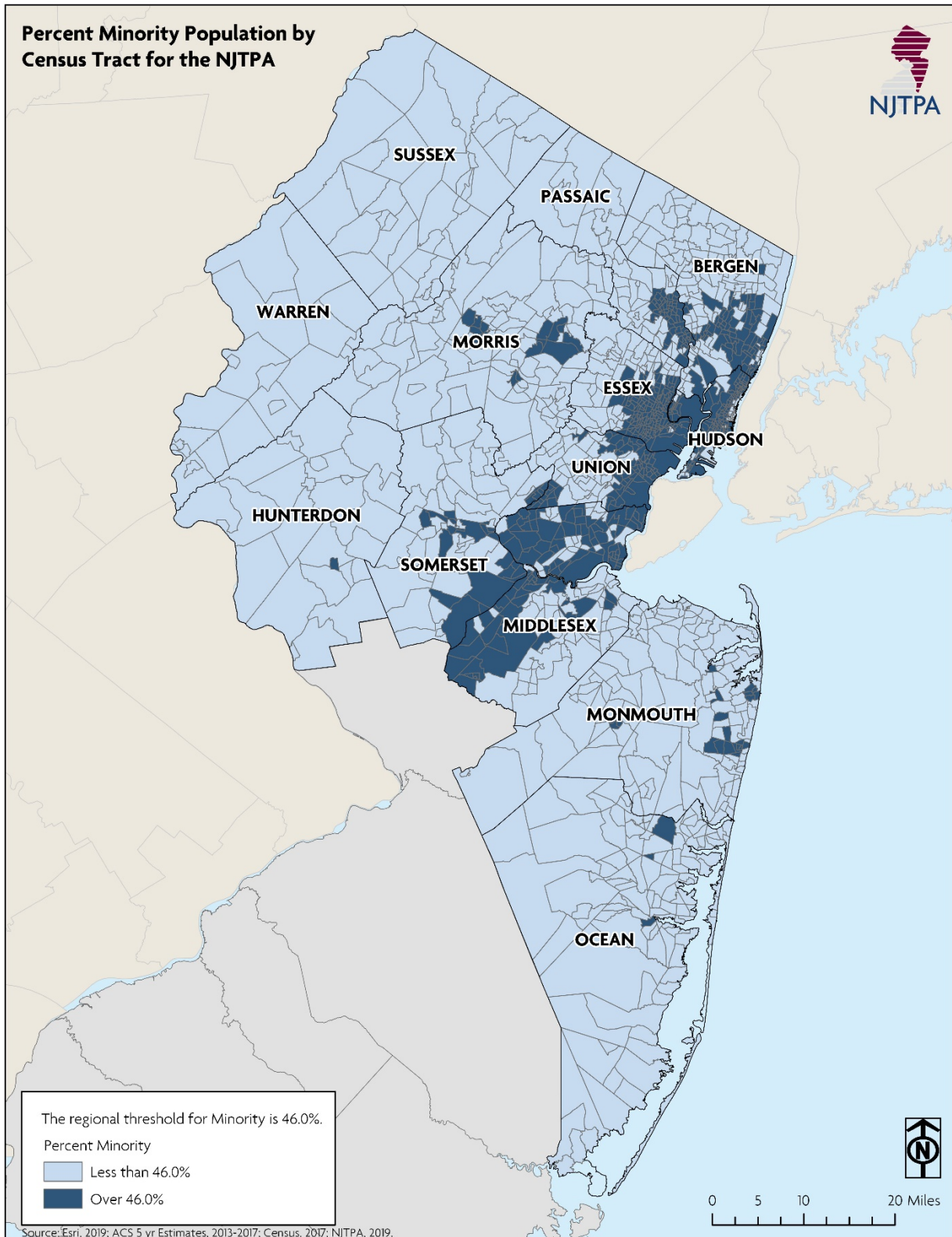
Racial Minority	Population	% of Population
Hispanic	1,459,106	21.6%
Black	791,801	11.7%
Asian	712,868	10.6%
Two or More Races	97,702	1.4%
Some Other Race	32,089	0.5%
Alaskan/American Indian	6,836	0.1%
Native Hawaiian/Other Pacific Islander	1,648	0.02%
<b>NJTPA</b>	<b>3,102,050</b>	<b>46%</b>

Source: ACS, Five Year Estimates, 2013-2017, Table DP05.

The table shows that Hispanic, Black, and Asian people comprise the largest groups of minorities in the region. The figure on the next page illustrates the minority population spatial distribution by census tract.



Figure 2: Percent Minority Population by Census Tract



Most of the minority population is concentrated in Bergen, Essex, Hudson, Middlesex, Passaic, Somerset and Union counties. Additionally, there are pockets of minority population that exceed the regional threshold in Hunterdon, Monmouth, Morris and Ocean counties.

#### Section 4.2: Low Income

The ratio of income to poverty level in the past 12 months is used to calculate the percentage of low-income residents in the NJTPA region. The same metric is used to determine low-income populations in the U.S. Environmental Protection Agency's EJSCREEN tool. Many studies show that the poverty threshold is too low to accurately depict those people who are truly low-income. Therefore, using two times the poverty level better captures those individuals adversely affected by low income. This is the calculation used to determine the percentages of low-income persons living in the NJTPA region, as detailed by county in Table 3. Approximately 23.7 percent or approximately 1.5 million people are living below this poverty level threshold in the NJTPA region.

Table 3: Low Income Population by County

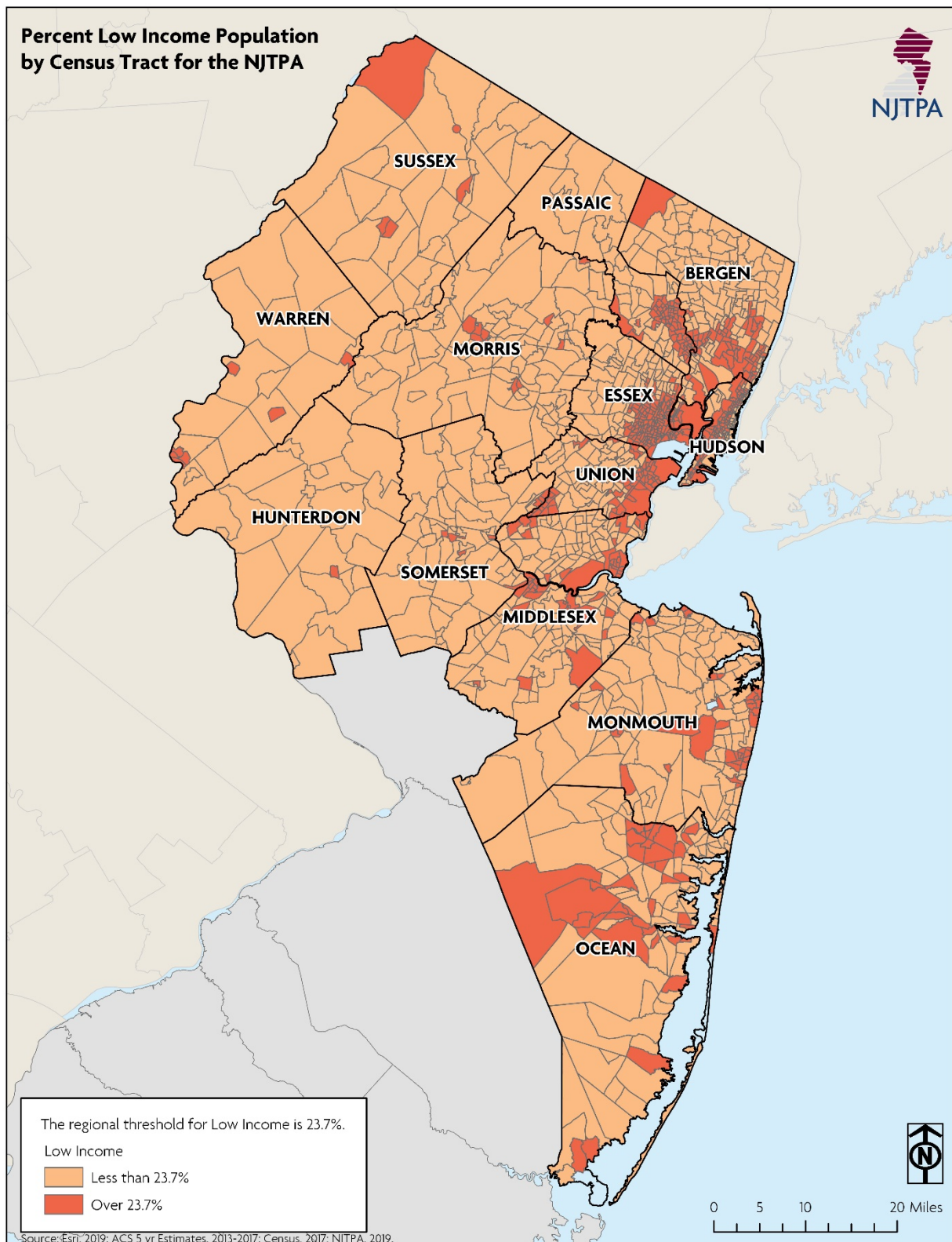
County	Total Population	Low Income Population	% Low Income Population
Hudson	672,241	238,567	35.5%
Passaic	502,606	174,266	34.7%
Essex	781,279	268,809	34.4%
Union	550,581	147,158	26.7%
Ocean	582,096	150,766	25.9%
Middlesex	807,450	165,804	20.5%
Warren	105,338	20,595	19.6%
Bergen	927,026	163,465	17.6%
Monmouth	621,400	108,748	17.5%
Sussex	142,214	21,565	15.2%
Morris	491,300	60,405	12.3%
Somerset	329,859	40,501	12.3%
Hunterdon	121,269	12,455	10.3%
<b>NJTPA</b>	<b>6,634,659</b>	<b>1,573,104</b>	<b>23.7%</b>

Source: ACS, Five Year Estimates, 2013-2017, Table C17002.

Hudson county has the highest percentage (35.5 percent) of low-income people compared to its total population, while Hunterdon has the lowest with 10.3 percent of its population identified as low-income. Figure 3 on the next page illustrates concentrations of low-income people by census tract.



Figure 3: Percent Low Income Population by Census Tract



### Section 4.3: Limited English Proficiency

Refer to the information included in the four-factor analysis provided under Section 3.2.1 for more information about the LEP population in NJTPA region, including a table of English proficiency and map of LEP households.

### Section 4.4: People with Disabilities

The ADA prohibits public entities from discriminating against people with disabilities or excluding them from participating in, or denying them the benefits of, the entities' services, programs, or activities. Although disability protections are not explicitly a part of Title VI, they are implied in the inclusive public participation requirements. For MPOs, this means that public meetings are held in accessible buildings and that vital MPO documents are available in accessible formats to members of the public. The table below shows the breakdown of people with a disability by county.

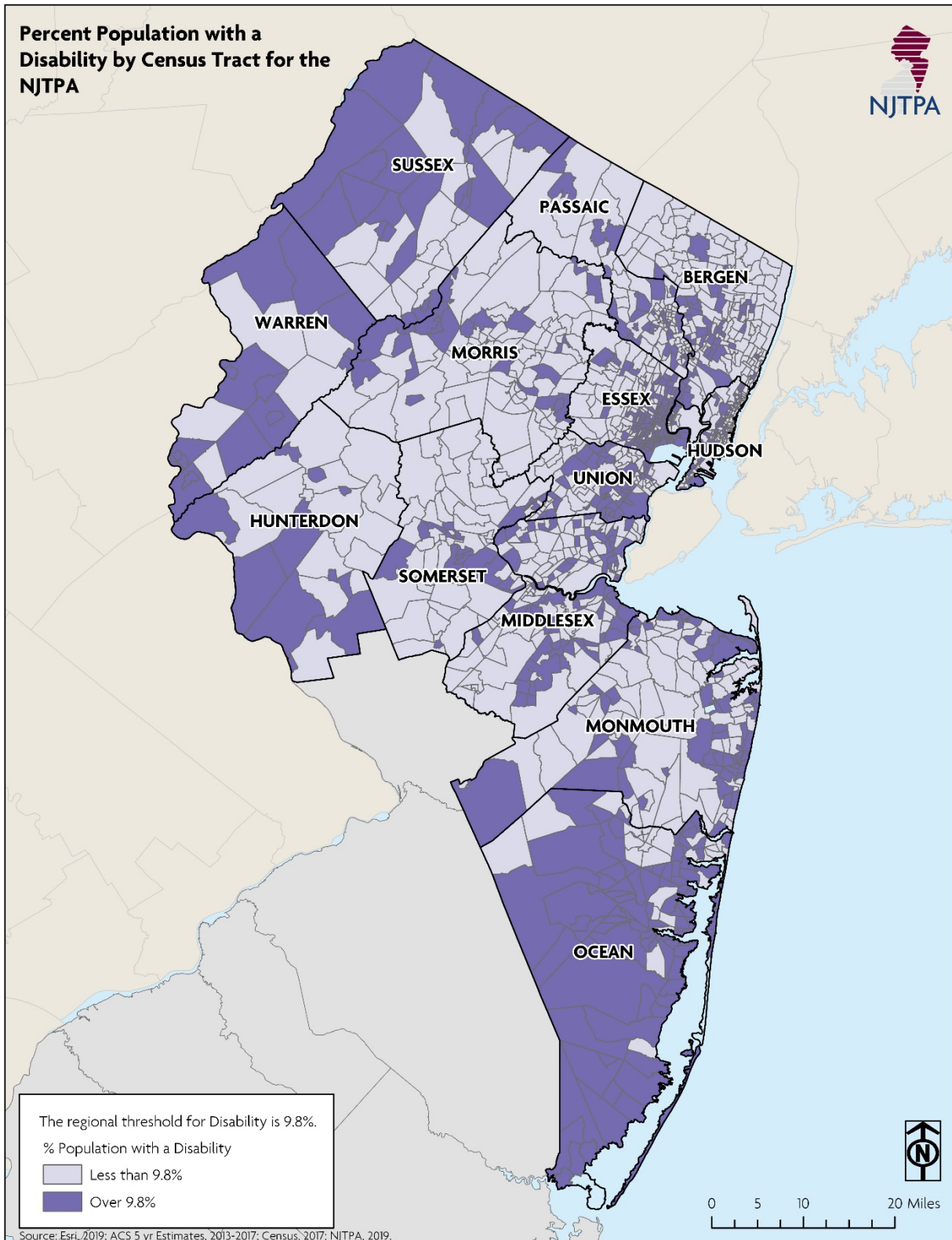
Table 4: Population with a Disability by County

County	Total Population	Total Population with a Disability	% Population With a Disability
Ocean	584,418	78,298	13.4%
Warren	106,181	13,371	12.6%
Essex	788,754	95,957	12.2%
Sussex	142,397	14,484	10.2%
Monmouth	623,613	62,091	10%
Hudson	675,541	63,440	9.4%
Union	552,755	51,854	9.4%
Middlesex	828,230	75,521	9.1%
Hunterdon	121,490	10,934	9%
Passaic	506,947	44,713	8.8%
Morris	494,902	40,654	8.2%
Bergen	931,733	75,029	8.1%
Somerset	330,448	26,412	8%
NJTPA	6,687,409	652,758	9.8%

Source: ACS, Five Year Estimates, 2013-2017, Table S1810. Total population is defined as total civilian noninstitutionalized.

People with disabilities compose 9.8 percent of the regional population. By county, Ocean has the largest percentage of people with a disability at 13.4 percent of its non-institutionalized population. Figure 4 on the next page illustrates the spatial distribution of the population by census tract of people who have a disability.

Figure 4: Percent Population with a Disability by Census Tract



Additional information was collected that allows the NJTPA to look at specific disability characteristics as defined by the U.S. Census. The disability types are as follows: hearing difficulty, vision difficulty, cognitive difficulty, ambulatory difficulty, self-care difficulty and independent living difficulty. The table below illustrates the breakdown by type of disability by county and for the NJTPA region.

Table 5: Population by Type of Disability by County

County	Total Population	Total Population w/ a Disability	% Pop. w/a Disability	% Pop. w/ Hearing Difficulty	% Pop. w/ Vision Difficulty	% Pop. w/ Cognitive Difficulty	% Pop. w/ Ambulatory Difficulty	% Pop. w/ Self-Care Difficulty	% Pop. w/ Independent Living Difficulty
Bergen	931,733	75,029	8.1%	2.3%	1.3%	2.5%	4.4%	2%	3.3%
Essex	788,754	95,957	12.2%	2.3%	3.6%	4.1%	6.4%	2.5%	4.2%
Hudson	675,541	63,440	9.4%	1.6%	2.0%	3.4%	5.6%	2.2%	3.7%
Hunterdon	121,490	10,934	9%	3.1%	1.6%	3.3%	3.7%	1.5%	3%
Middlesex	828,230	75,521	9.1%	2.3%	1.4%	3.1%	5.1%	2.1%	3.5%
Monmouth	623,613	62,091	10.0%	2.6%	1.7%	3.4%	5.2%	1.9%	3.7%
Morris	494,902	40,654	8.2%	2.5%	1.2%	2.6%	4.1%	1.7%	3.2%
Ocean	584,418	78,298	13.4%	4.1%	2.2%	4.3%	7.4%	2.6%	4.7%
Passaic	506,947	44,713	8.8%	2.2%	1.7%	3.1%	5%	2.1%	3.6%
Somerset	330,448	26,412	8%	2.2%	1.2%	2.8%	4%	1.9%	3.1%
Sussex	142,397	14,484	10.2%	2.8%	1.4%	3.8%	5.4%	2.3%	3.6%
Union	552,755	51,854	9.4%	2.2%	1.7%	3.5%	4.8%	2.1%	3.7%
Warren	106,181	13,371	12.6%	3.8%	2%	4.3%	6.5%	2.3%	4.8%
NJTPA	6,687,409	652,758	9.8%	2.5%	1.8%	3.3%	5.3%	2.1%	3.7%

Source: ACS, Five Year Estimates, 2013-2017, Table S1810. Total population is defined as total civilian noninstitutionalized.

When dealing with various transportation projects and programs it is vital to understand how they will impact a person with a disability. It is also important to recognize the type of disability. A person with a hearing disability will be affected in a vastly different way than a person with a vision disability. This data will also help support the NJTPA's outreach efforts and ensure inclusivity of persons with a disability where applicable and warranted.

#### Section 4.4: Zero-Vehicle Households

The zero-vehicle households measure should be interpreted in concert with other measures. As an example, a community with a high zero-vehicle household population could be located in an area that is well equipped with various modes of mass transit, and a car is not considered a necessity. For some not owning a car is a lifestyle choice and therefore does not indicate populations with environmental or economic disadvantages. Looking at this measure by itself might not provide an accurate picture of those communities in most need. Table 6 depicts the percentage of zero-vehicle households by county and for the NJTPA region.

Table 6: Zero-Vehicle Households by County

County	Total Households	Households with No Vehicles	% Households with No Vehicles
Hudson	252,352	80,984	32.1%
Essex	280,327	61,591	22%
Passaic	162,440	26,382	16.2%
Union	187,916	21,698	11.5%
Bergen	337,819	26,896	8%
Middlesex	283,794	21,683	7.6%
Ocean	223,135	15,285	6.9%
Monmouth	232,482	15,889	6.8%
Warren	41,385	2,556	6.2%
Morris	180,124	8,615	4.8%
Somerset	115,970	5,339	4.6%
Sussex	53,618	2,129	4%
Hunterdon	46,822	1,744	3.7%
<b>NJTPA</b>	<b>2,398,184</b>	<b>290,791</b>	<b>12.1%</b>

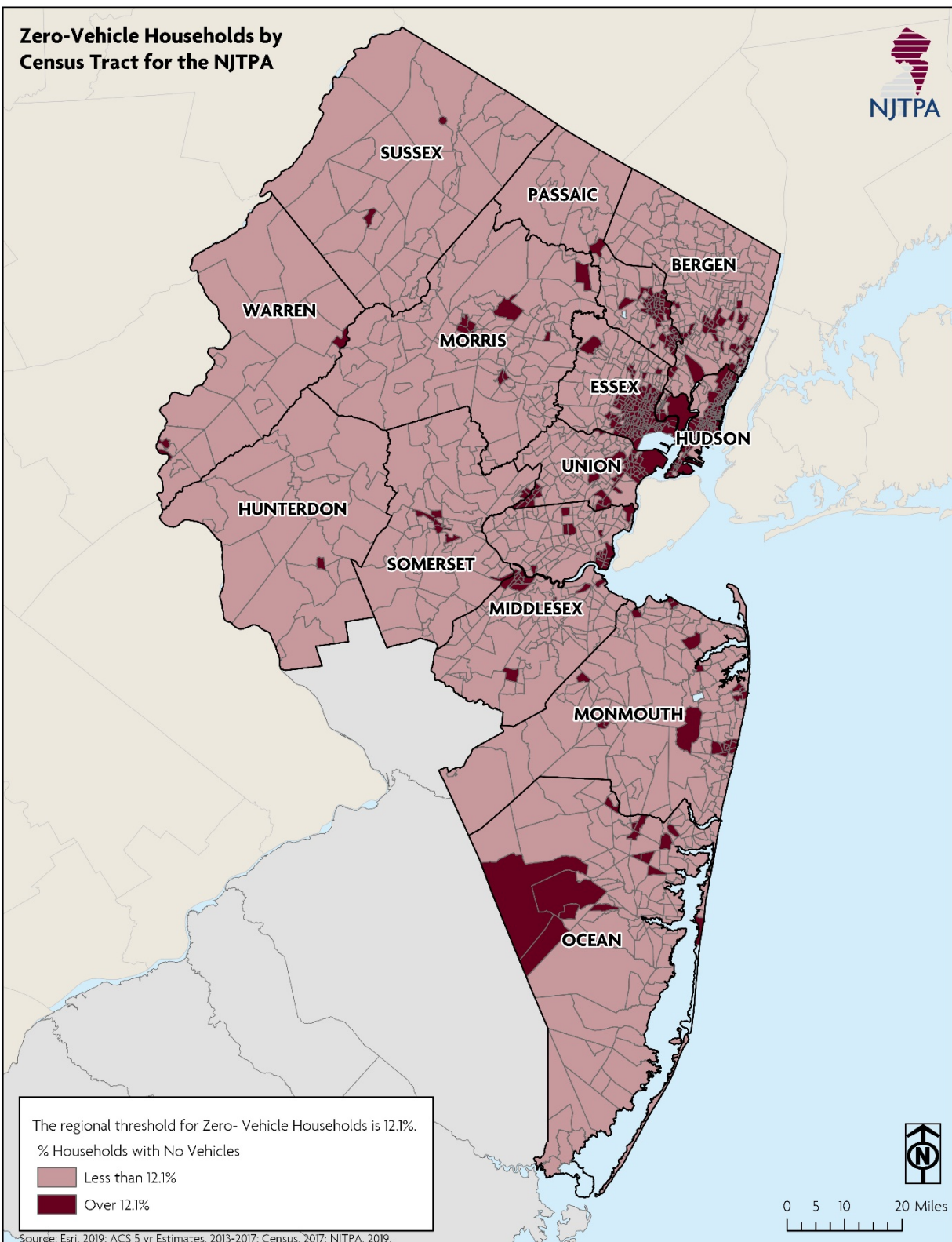
Source: ACS, 5 year Estimates, 2013-2017, Table B08201

Roughly 12 percent of the region's households have no vehicle. Hudson County, a very urban area with a significant amount of transportation options, has 32.1 percent zero-vehicle households. While Hunterdon, a much more rural area, only has 3.7 percent zero-vehicle households.

The figure on the next page illustrates the distribution of zero-vehicle households by census tract.



Figure 5: Zero-Vehicle Households by Census Tracts



## Section 4.5: Senior and Youth Population

In order to understand the unique transportation needs of both senior and youth populations, data was collected for the following age cohorts: 65 years and older, 5 years old to 17 years old and under 5 years old. These age-specific needs could include proximity to amenities like day cares, schools or adult living facilities, and accessibility to jobs or mass transit. Considering the distinctive needs of the age cohort will better support planning for transportation improvements.

In the NJTPA region, 15 percent of the population is 65 and older. Ocean County has the highest percentage of seniors within its county boundary. Table 7 details the senior population percentage for each county in the region.

Table 7: Population 65 years and older by County

County	Total Population	Total Population 65 years and Older	% Population 65 years and Older
Ocean	589,699	130,257	22.1%
Warren	107,088	17,716	16.5%
Hunterdon	125,717	20,782	16.5%
Bergen	937,920	153,527	16.4%
Monmouth	627,551	101,128	16.1%
Morris	498,847	79,042	15.8%
Sussex	143,570	22,167	15.4%
Somerset	333,316	47,955	14.4%
Middlesex	837,288	115,701	13.8%
Union	557,320	75,962	13.6%
Passaic	510,563	69,429	13.6%
Essex	800,401	102,794	12.8%
Hudson	679,756	75,984	11.2%
NJTPA	6,749,036	1,012,444	15.0%

Source: ACS, 2017 Five Year Estimates, Table S0101

The figure on the next page represents the spatial distribution by census tract for the region.

Figure 6: Percent Population 65 years and older by Census Tract

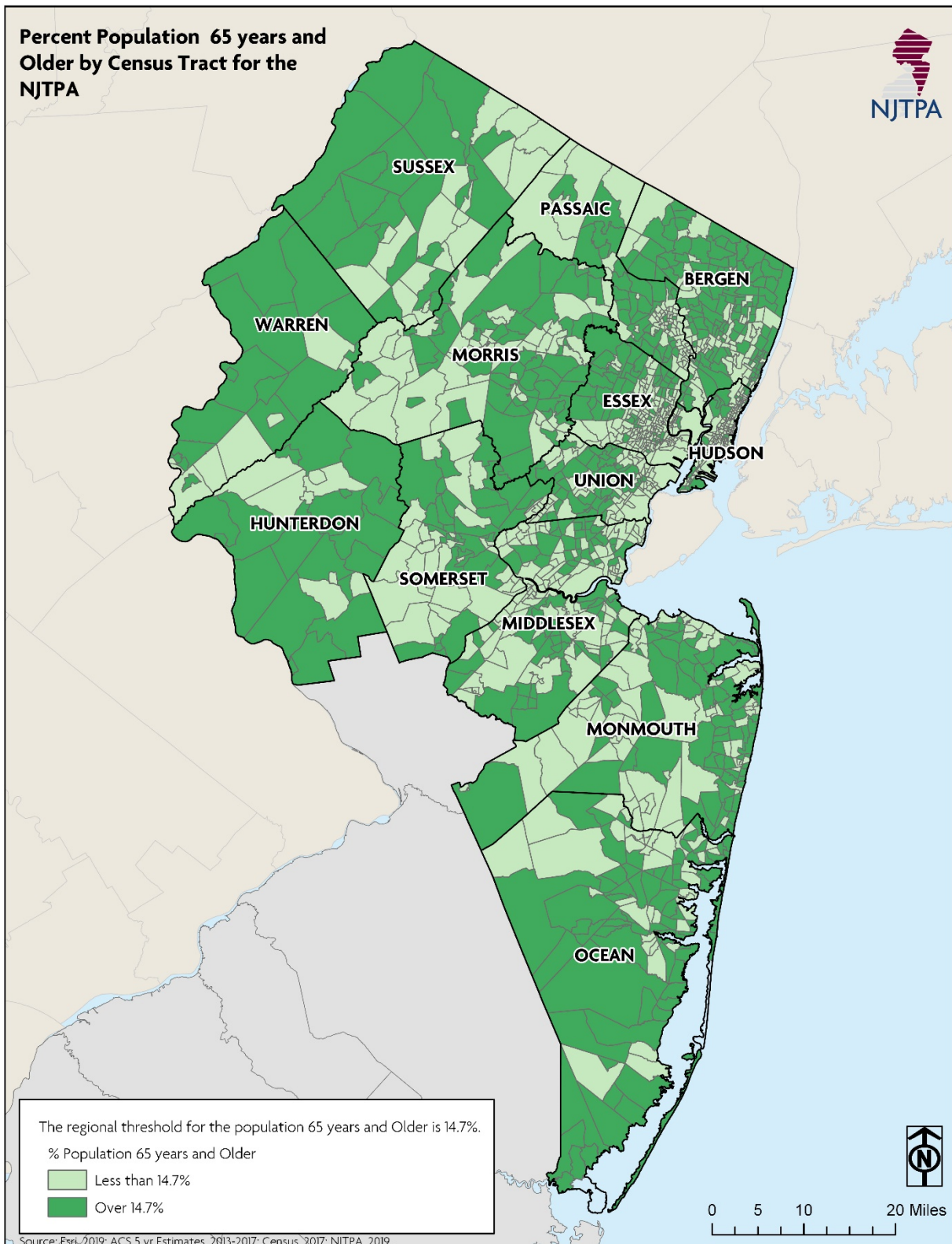




Table 8 and Figure 7 show the percentage of population under 5 in the NJTPA region, as well as the spatial distribution of the population under 5 years old. Based on the data, 5.9 percent of the population in the NJTPA region is under 5 years old.

Table 8: Population Under 5 years old by County

County	Total Population	Total Pop. Under 5 years old	% Pop. Under 5 years old
Hudson	679,756	47,441	7%
Ocean	589,699	40,591	6.9%
Passaic	510,563	34,842	6.8%
Essex	800,401	52,804	6.6%
Union	557,320	35,278	6.3%
Middlesex	837,288	49,144	5.9%
Somerset	333,316	17,653	5.3%
Bergen	937,920	49,660	5.3%
Monmouth	627,551	31,705	5.1%
Morris	498,847	24,949	5%
Warren	107,088	5,059	4.7%
Sussex	143,570	6,605	4.6%
Hunterdon	125,717	4,992	4%
<b>NJTPA</b>	<b>6,749,036</b>	<b>400,723</b>	<b>5.9%</b>

Source: ACS, 2017 Five Year Estimates, Table S0101

Figure 7: Percent Population Under 5 years old by Census Tract

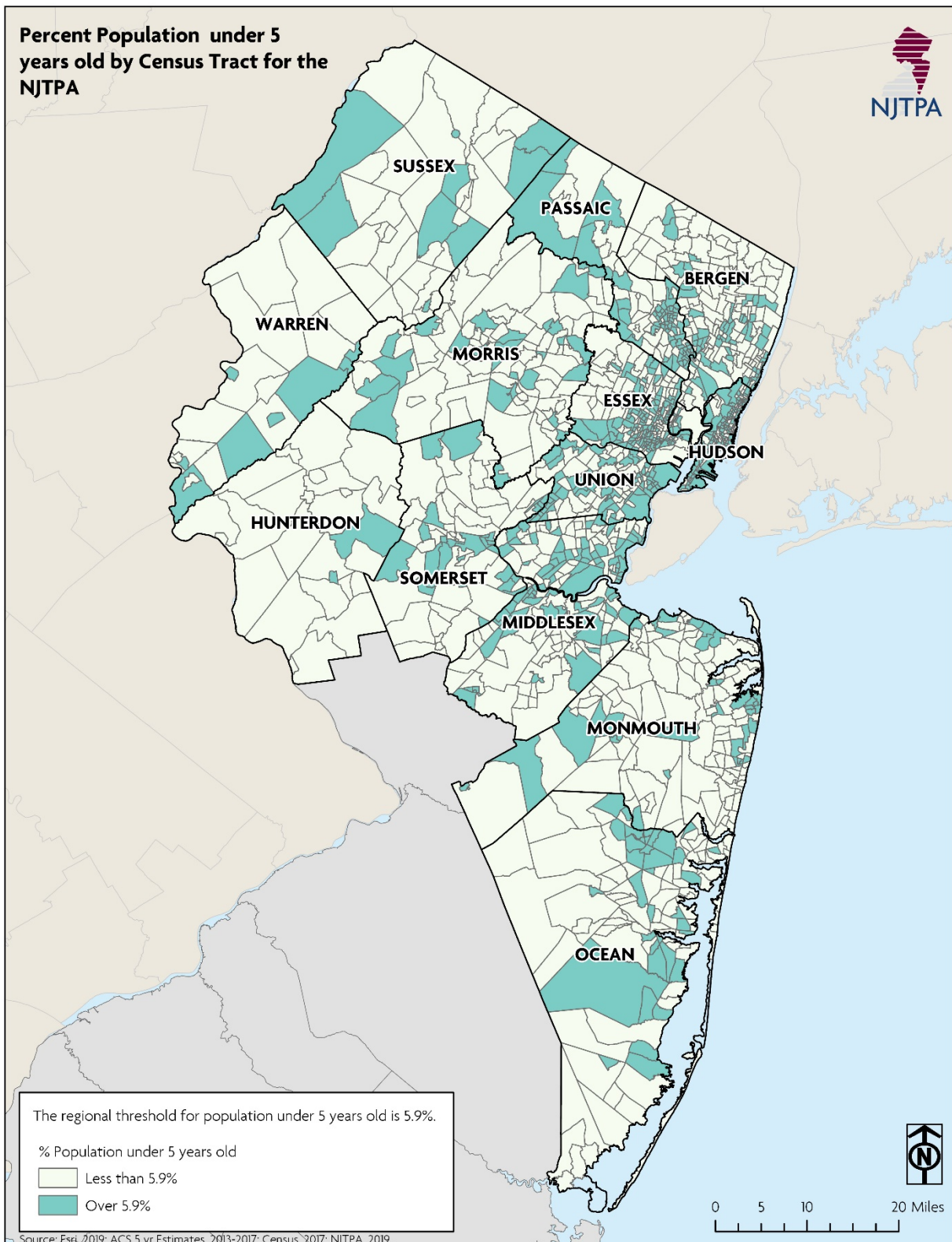


Table 9 shows that 16.5 percent of the population in the NJTPA region is between the ages of 5 and 17.

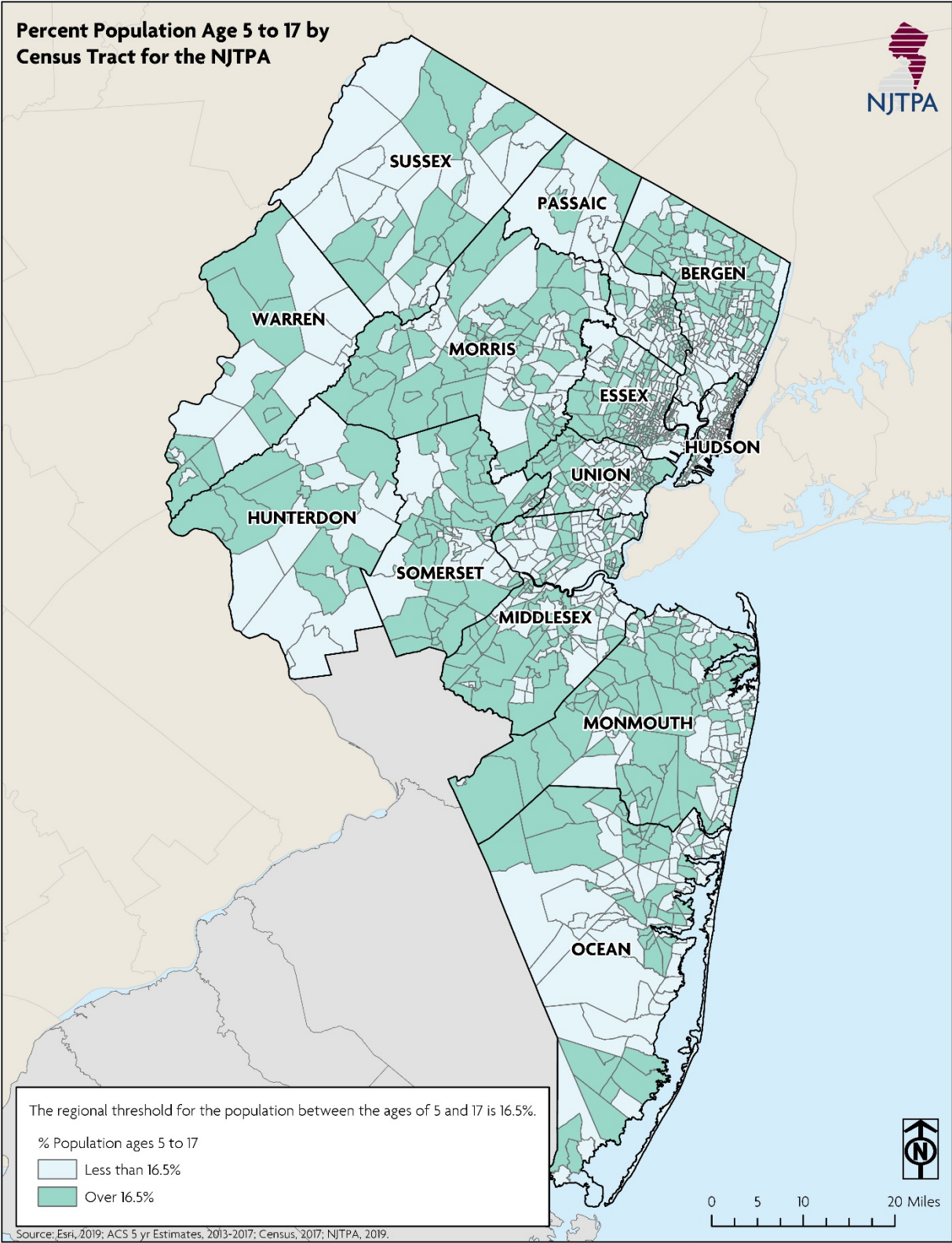
Table 9: Population ages 5 to 17 years old by County

County	Total Population	Total Pop. 5 to 17 years old	% Pop. 5 to 17 years old
Somerset	333,316	58,491	17.5%
Passaic	510,563	88,330	17.3%
Essex	800,401	138,356	17.3%
Union	557,320	96,166	17.3%
Morris	498,847	84,605	17%
Monmouth	627,551	106,146	16.9%
Ocean	589,699	98,567	16.7%
Hunterdon	125,717	20,872	16.6%
Sussex	143,570	23,589	16.4%
Bergen	937,920	152,356	16.2%
Warren	107,088	17,336	16.2%
Middlesex	837,288	134,432	16.1%
Hudson	679,756	91,438	13.5%
<b>NJTPA</b>	<b>6,749,036</b>	<b>1,110,684</b>	<b>16.5%</b>

Source: ACS, 2017 Five Year Estimates, Table S0101

The figure on the next page depicts the spatial distribution by census tract.

Figure 8: Percent Population of age 5 to 17 by Census Tract



#### Section 4.6: Mobility Needs of Minority Populations

MPOs are required to include in the Title VI Implementation Plan a description of the procedures by which the mobility needs of minority populations are identified and considered within the planning process. In developing the NJTPA's planning activities, the NJTPA seeks out and considers the needs of those traditionally underserved by existing transportation systems, including minorities. The NJTPA strives to include all stakeholders, including protected classes, in its planning activities.

The NJTPA updated its Coordinated Human Services Transportation Plan, *Go Farther*, in 2017. The plan offers comprehensive recommendations for meeting the transportation needs of four target populations: persons ages 65 and older, low-income individuals, people with disabilities and veterans. The planning process included extensive public outreach to gather input from the target populations. The multi-faceted public and stakeholder outreach included focus groups, surveys, and community planning sessions; in total, nearly 5,000 people representing the four target populations provided input through the public outreach effort.

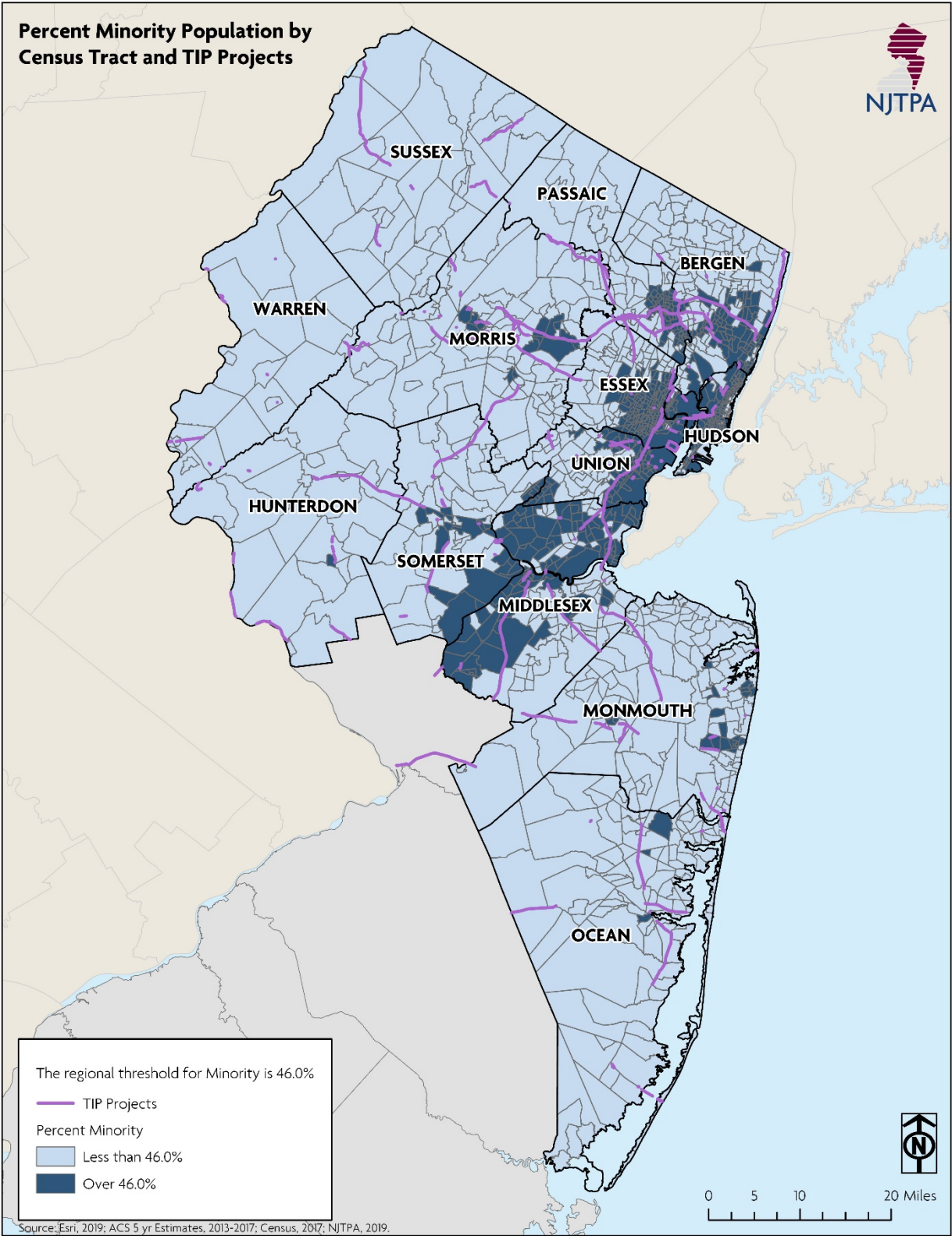
#### Section 4.7: Transportation Improvement Program

The TIP is a four-year fiscally constrained listing of projects and programs that is updated and adopted by the NJTPA Board every two years. Each year over \$2 billion in state and federal funding is invested in transportation projects and programs in the NJTPA region. The TIP encompasses a wide range of infrastructure improvements including redesigned intersections, repaved roads, new bicycle/pedestrian paths, added trains and buses, rehabilitated bridges and upgraded traffic signals. The NJTPA developed and maintains its NJTPA Online Transportation Information System (NOTIS) which provides information on projects and allows users to explore how their state and federal tax dollars are being invested to improve the transportation system in the NJTPA region.

As part of federal regulation FTA C 4702.1B, MPOs are required to provide a demographic map that overlays the percent of minority and non-minority populations as identified by Census or ACS data, at census tract or block group level, and charts that analyze the impacts of the distribution of state and federal funds in the aggregate for transportation purposes, including federal funds managed by the MPO as a designated recipient. This implementation plan uses the ACS Five Year Estimates for 2017 at the census tract level. Figure 9 on the next page illustrates those census tracts above and below the minority regional threshold of 46 percent and the FY2018-FY2021 TIP projects.



Figure 9: Percent Minority Population by Census Tract and TIP projects



The FY2018-FY2021 TIP projects were used to determine investment made in minority and non-minority communities. The TIP includes several state and region-wide programs and projects that cannot be associated with a specific geographic location and therefore are not mapped. The funding for these programs and projects was distributed based on population to estimate the minority community transportation investment. Projects that are mapped and intersect with the minority communities were added to determine the total minority community transportation investment in the FY2018–FY2021 TIP.

Table 10: Distribution of TIP Investment by Minority and Non-Minority Populations

Population	TIP Investment	% of Investment
Minority	\$ 7,245,981,828.87	52.1%
Non-minority	\$ 6,672,263,432.49	47.9%
	\$ 13,918,245,261.35	100%

Table 10 above shows that 52.1 percent of the TIP funds are invested in minority areas. While 47.9 percent of the funding is invested in non-minority areas. As new data becomes available, the analysis of the distribution of state and federal funds in the minority areas will be updated.

#### Section 4.8: Disparate Impacts

Recipients of funding approved by the NJTPA are required to analyze, based on the information provided in Section 4.7, if there are any disparate impacts on the basis of race, color, or national origin. The NJTPA consistently considers transportation equity when developing studies for the UPWP, selecting projects for inclusion in the LRTP, and programming projects into the TIP. These three documents are complementary and inform each other. Efforts undertaken in the UPWP support the goals and objectives identified in the LRTP and are often the foundation of the project development process for those projects that will eventually be included in the TIP.

Taken as a whole, the transportation planning services provided by the NJTPA do not pose disproportionate or adverse impacts on minority populations.

#### Section 4.9: Analysis & Monitoring Projects and Processes

As stated previously in Section 3.1, the NJTPA will seek to ensure compliance by annually collecting data on race, low income, LEP, people with disabilities, zero-vehicle households, and age of residents in its planning area. This data will be used to analyze and measure transportation investment benefits and burdens to minority populations. Data gathering procedures will be reviewed regularly to ensure it sufficiently meets the requirements of the Title VI program. NJTPA will continue to use this information to inform not only the planning activities, but also support the TIP scoring criteria to ensure equitable investments in the region.

Using findings and lesson learned from the recently completed Regional Performance Measures project, the NJTPA will look to incorporate (where applicable) metrics that allow the monitoring of progress in regard to the Title VI Implementation Plan.

## Section: 5 Conclusion

This NJTPA Title VI Implementation Plan has been prepared pursuant to Title VI of the Civil Rights Act of 1964, FTA Circular 4702.1B, Title VI and Title VI Dependent Guidelines for FTA Recipients (October 1, 2012). The NJTPA Board of Trustees approved this plan on September 9, 2019 (See Appendix E for documentation confirming approval).

The Implementation Plan provides a necessary framework for ensuring:

- that federally-assisted benefits and related services are made available and are equitably distributed,
- that the level and quality of federally-assisted services are sufficient to provide equal access and mobility to all persons, and,
- that there are adequate opportunities for all to participate in planning and decision-making processes.

Additionally, this plan serves as a foundation to ensure corrective and remedial actions are taken for all applications and receipts of federal funding to prevent discriminatory treatment of any beneficiary, provides procedures for investigating Title VI complaints, ensures that meaningful access to programs and activities is provided for LEP populations, and provides steps for informing the public of their rights under Title VI.



## Appendices

### Appendix A: Title VI Assurance

For signed document click [here](#).

#### **The United States Department of Transportation (USDOT)**

##### **Standard Title VI/Non-Discrimination Assurances**

##### **USDOT Order No. 1050.2A**

The North Jersey Transportation Planning Authority, Metropolitan Planning Organization (herein referred to as the "Recipient"), HEREBY AGREES THAT, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (USDOT), through the Federal Highway Administration (FHWA) and New Jersey Department of Transportation (NJDOT), 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);
- 49 C.F.R. Part 21 (entitled *Non-discrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of The Civil Rights Act of 1964*);
- 23 C.F.R. Part 200 (Title VI Program and Related Statutes – Implementation and Review Procedures);
- USDOT Order 1050.2 (Standard USDOT Title VI Assurances);
- 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 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);
- Section 162(a) of the 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, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR 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, (49 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs

or activities" to include all of the programs or activities of the federal-aid recipients, sub-recipients and contractors, whether such programs or activities are federally funded or not);

- 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 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 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); and
- 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.*).

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

### **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, or national origin, 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 USDOT, including the Federal Highway Administration.*

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 Assurance, the Recipient agrees with and gives the following Assurances with respect to its federally-assisted USDOT programs.

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 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 all FHWA federally-assisted programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

*"The North Jersey Transportation Planning Authority 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, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin 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 North Jersey Transportation Planning Authority 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 FHWA and NJDOT 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 FHWA and NJDOT. You must keep records, reports, and submit the material for review upon request to FHWA and NJDOT, 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.

North Jersey Transportation Planning Authority 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 U.S. Department of Transportation under USDOT programs. This ASSURANCE is binding on the State of New Jersey, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in all USDOT programs. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

North Jersey Transportation

Planning Authority, Inc.

Mary D. Ameen

Executive Director



## Title VI Notice to the Public

The North Jersey Transportation Planning Authority (NJTPA) hereby gives public notice that it is the policy of the NJTPA to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice, and related statutes and regulations in all programs and activities.

NJTPA assures that no person or group(s) of persons shall, on the grounds of race, color, age, disability, national origin, gender, or income status, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination through the federally-mandated metropolitan transportation planning process undertaken by NJTPA, whether the activities are federally funded or not.

It is also the policy of NJTPA to ensure that all its plans, programs, procedures, policies, and activities do not have disproportionate adverse effects on minority and low-income populations. Minority and low-income communities, as identified through the U.S. Census, will be engaged to facilitate their full and fair participation in the metropolitan transportation planning process. In addition, NJTPA will provide meaningful access to services for persons with limited English proficiency.

Regarding the distribution of federal-aid funds to eligible subrecipients, NJTPA will include Title VI language in all written agreements entered into through its administrative host, the New Jersey Institute of Technology, and will monitor those agreements for compliance.

NJTPA's Executive Director is responsible for initiating and monitoring the organization's Title VI Program, for preparing related reports, and for other requirements and responsibilities under Title 23 Code of Federal Regulations (CFR) Part 200 and Title 49 CFR Part 21.

Any person who believes they have been aggrieved by an unlawful discriminatory practice under Title VI has a right to file a formal complaint. Any such complaint must be filed in writing using the form provided or in person with NJTPA's Title VI Coordinator within one hundred eighty (180) days from the date of the alleged discriminatory act or upon notice of the discriminatory act. Title VI discrimination complaint forms may be obtained from the NJTPA website: [www.njtpa.org](http://www.njtpa.org) or by calling 973-639-8400.

Mary D. Ameen, Executive Director

September 9, 2019

## Appendix C: Title VI Complaint Form

NJTPA Form 07/2019

### NORTH JERSEY TRANSPORTATION PLANNING AUTHORITY, INC.

#### TITLE VI NON-DISCRIMINATION COMPLAINT FORM

It is the policy of the North Jersey Transportation Planning Authority (NJTPA) to abide by Title VI of the Civil Rights Act of 1964, Executive Order 12898 for Environmental Justice, Executive Order 13166 for Limited English Proficiency, and 23 U.S.C. Section 324, which provides in part that: *No person in the United States shall, on the grounds of race, color, sex, age, national origin, low income or disability, be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination in any program or activity receiving federal financial assistance.*

This form may be used to file a complaint with the NJTPA for alleged violations of Title VI of the Civil Rights Act of 1964. If you need assistance completing this form due to a physical impairment or other reasons, please contact us by phone at (973) 639-8400 or via FAX at (973) 639-1953.

Complaints should be filed within 180 days of the alleged discrimination. If you could not reasonably be expected to know the act was discriminatory within the 180 days period, you have 60 days after you became aware of the discrimination to file your complaint.

**Only the complainant or the complainant's designated representative should complete both pages (sides) of this form.**

Name: _____	
Street Address: _____	
City: _____	State: _____ ZIP Code: _____
Home Telephone: _____	Work Telephone: _____ Cell Phone: _____
<b>Individual(s) discriminated against, if different from above (use additional page(s) if necessary):</b>	
Name: _____	
Street Address: _____	
City: _____	State: _____ ZIP Code: _____
Home Telephone: _____	Work Telephone: _____ FAX: _____
Please explain your relationship to the individual(s) indicated above: _____	
<b>Name of Agency and Department or Program that discriminated:</b>	
Agency and Department or Program name: _____	
Name of Individual (if known): _____	
Street Address: _____	
City: _____	State: _____ ZIP Code: _____
Telephone: _____	FAX: _____
Date alleged discrimination began: _____ Last or most recent date of discrimination: _____	
<b>Basis of Discrimination:</b>	
<input type="checkbox"/> Race <input type="checkbox"/> Religion <input type="checkbox"/> Color <input type="checkbox"/> Age <input type="checkbox"/> National Origin	
<input type="checkbox"/> Disability <input type="checkbox"/> Sex <input type="checkbox"/> Income <input type="checkbox"/> Limited English Proficiency (LEP)	
<b>How were you discriminated against? Please give specific information, including names.</b>	
<div style="border: 1px solid black; height: 40px;"></div>	
Were there any witnesses? <input type="checkbox"/> No <input type="checkbox"/> Yes	
<b>If so, please provide their contact information:</b>	
Witness #1	Witness #2
Name: _____	Name: _____
Address: _____	Address: _____
City: _____ State: _____ ZIP: _____	City: _____ State: _____ ZIP: _____
Telephone Number: _____	Telephone Number: _____
Signature _____ Date _____	

**NOTE: The laws enforced by this organization prohibit retaliation or intimidation against anyone because that individual has either taken action or participated in action to secure rights protected by these laws. If you experience retaliation or intimidation separate from the discrimination alleged in this complaint or if you have questions regarding the completion of this form please contact:**

Title VI Coordinator  
North Jersey Transportation Planning Authority  
One Newark Center, 17th Floor  
Newark, NJ 07102  
Phone: 973-639-8400 Fax: 973-639-1953  
[TitleVI@njtpa.org](mailto:TitleVI@njtpa.org)



NORTH JERSEY TRANSPORTATION PLANNING AUTHORITY, INC.

Title VI Complaint Process

The North Jersey Transportation Planning Authority (NJTPA) will investigate written complaints that have been filed by any person or class of persons who believe they have been subjected to discrimination or retaliation based on race, color, sex, age, national origin, low income or disability. To file a complaint, an individual or his/her representative should:

1. Complete and sign both sides of the complaint form. Include the complainant's name, address, and telephone number.
2. Initiate the filing no more than 180 days after the date of the alleged act of discrimination; the date when the individual(s) became aware of the alleged discrimination; or where there has been a continuing course of conduct, the date that the conduct was discontinued or the latest instance of the conduct.

These procedures do not preclude any agency from attempting to resolve issues and complaints that are non-written, e.g., sexual harassment. Complaints must detail the facts and circumstances of the alleged discrimination.

NJTPA will use procedures approved by the Federal Highway Administration (FHWA) to investigate complaints filed directly with the NJTPA against contractors and sub-recipients. This is in accordance with 23 CFR 200.9 (b) (3). The NJTPA cannot investigate complaints filed against itself; therefore, if a complaint is filed against the NJTPA, then it will be forwarded to the New Jersey Department of Transportation (NJDOT) for processing and investigation.

NJTPA's Title VI Coordinator will acknowledge in writing the receipt of every complaint filed with the NJTPA within ten business days of receiving it. If additional information is required, the Title VI Coordinator will extend the response time by ten business days. If the complaint is rejected, the Title VI Coordinator will inform the complainant of the appropriate appeal authority and set up a time-line for an appeal.

With the complainant's consent, and in the best interests of all parties involved in the complaint, attempts may be made to resolve the matter informally. However, if the complainant is dissatisfied with the NJTPA's decision, he or she may bring the matter to the attention of the NJDOT, FHWA, US Department of Transportation (USDOT), and the US Department of Justice (USDOJ).

If the complaint has merit, the Title VI Coordinator will supervise a thorough investigation and submit a written Report of Findings to the NJTPA's Senior Director of Finance and Administration for a final determination.

Within 60 days of the receipt of the complaint, NJTPA will notify the complainant of its findings, the proposed disposition of the matter, the avenues available for appeal and the time-line to appeal if there is dissatisfaction with the NJTPA's decision. The proposed remedy will include the actions necessary to correct and prevent future occurrences.

NJTPA will issue letters of findings for all investigations processed or develop informal settlements for all complaints processed. In accordance with regulations at 23 CFR 200, NJTPA will forward a copy of the complaint and a copy of the its report of the investigation to the NJDOT and the FHWA Division Office, within 60 days of the date the complaint was received. The FHWA may grant an extension of an additional 60 days for justifiable reasons. NJTPA has the responsibility to periodically inform the NJDOT and FHWA Division Office of the status of all complaints.

Title VI Complaint Consent/Release	
Name: _____	
Address Line 1: _____	
Address Line 2: _____	
City: _____	State: _____ ZIP Code: _____
<b>Please read the information below, check the appropriate box, and sign this form.</b>	
I have read the Notice of Investigatory Uses of Personal Information by the NJTPA. As a complainant, I understand that in the course of an investigation it may become necessary for NJTPA to reveal my identity to persons at the organization or institution under investigation. I am also aware of the obligations of NJTPA to honor requests under the Freedom of Information Act. I understand that it may be necessary for NJTPA to disclose information, including personal identifying details, which it has gathered as a part of its investigation of my complaint. In addition, I understand that as a complainant I am protected by federal regulations from intimidation or retaliation for having taken action or participated in action to secure rights protected by nondiscrimination statutes enforced by FHWA.	
<b>Consent/Release</b>	
<input type="checkbox"/> <b>CONSENT</b> – I have read and understand the above information and authorize NJTPA to reveal my identity to persons at the organization or institution under investigation. I authorize NJTPA to receive material and information about me pertinent to the investigation of my complaint. I understand that the material and information will be used for authorized civil rights compliance and enforcement activities. I further understand that I am not required to authorize this release, and do so voluntarily.	
<input type="checkbox"/> <b>CONSENT DENIED</b> – I have read and understand the above information and do not want NJTPA to reveal my identity to the organization or institution under investigation, or to review, receive copies of, or discuss material and information about me, pertinent to the investigation of my complaint. I understand that this is likely to impede the investigation of my complaint and may result in the closure of the investigation.	
Signature _____	Date _____

Please return this application to:

Title VI Coordinator  
North Jersey Transportation Planning Authority  
One Newark Center, 17th Floor  
Newark, NJ 07102  
Phone: 973-639-8400 FAX: 973-639-1953  
[TitleVI@njtpa.org](mailto:TitleVI@njtpa.org)



## Title VI Policy Statement

The following is the NJTPA's nondiscrimination policy statement, which covers all of its programs and activities:

The NJTPA is committed to compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 on Environmental Justice and all related nondiscrimination statutes, rules, regulations and executive orders.

The NJTPA assures that no person or group(s) of persons shall, on the grounds of race, color, age, disability, national origin, gender, or income status, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination through the federally-mandated metropolitan transportation planning process undertaken by NJTPA, whether the activities are federally funded or not.

It is also the policy of the NJTPA to ensure that all its plans, programs, procedures, policies, and activities do not have disproportionate adverse effects on minority and low-income populations. Minority and low-income communities, as identified through the U.S. Census, will be engaged to facilitate their full and fair participation in the metropolitan transportation planning process. In addition, the NJTPA will provide meaningful access to services for persons with limited English proficiency.

Regarding the distribution of federal-aid funds to eligible subrecipients, the NJTPA will include Title VI language in all written agreements entered into through its administrative host, the New Jersey Institute of Technology, and will monitor those agreements for compliance.

NJTPA's Executive Director is responsible for initiating and monitoring the organization's Title VI Program, for preparing related reports, and for other requirements and responsibilities under Title 23 Code of Federal Regulations (CFR) Part 200 and Title 49 CFR Part 21.

Mary D. Ameen, Executive Director  
North Jersey Transportation Planning Authority

September 9, 2019



## Appendix E: Board Approval of Title VI Implementation Plan

## Appendix F: Public Engagement Plan

For complete document click [here](#).

North Jersey Transportation Planning Authority

# Public Engagement Plan

November 2018



## Appendix G: Subrecipient Title VI Compliance Tool



### Sub-Recipient Title VI Compliance Assessment Tool

23 Code of Federal Regulations (CFR) Part 200 requires that the North Jersey Transportation Planning Authority, Inc. conduct periodic reviews of subrecipients of federal-aid highway funds to ensure they are complying with Title VI of the Civil Rights Act of 1964. Title VI states that “no person in the United States shall be excluded from participation, denied the benefits of, or be subjected to discrimination in any Federally-funded program, policy or activity on the basis of race, color or national origin.”

NJTPA has developed this questionnaire as a means of determining sub-recipient compliance; helping sub-recipients understand their Title VI responsibilities; and assisting NJTPA and NJDOT in planning future training and technical assistance.

This assessment is part of NJTPA’s Compliance Review process and has been designed to take only a few minutes of your time. Please email or mail the completed questionnaire with attachments, to Karen Rosenberger, Compliance Manager/ Title VI Coordinator, by no later than \_\_\_\_\_. NJTPA, One Newark Center, 17<sup>th</sup> Floor, Newark, NJ 07102.

Form, questions or concerns may be e-mailed to [krosenber@njtpa.org](mailto:krosenber@njtpa.org) or you may reach Ms. Rosenberger at (973) 639-8406.

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#### Questionnaire

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1. Please provide the Name, Title and contact information of the person responding to questionnaire.

Name:

Title:

Email:

Phone:

Name of your Agency:

Mailing Address:

2. Who is the Title VI Coordinator or contact person for your agency? Does this person accept complaints from the public? If not, who does? Please include title, email and telephone number for each person listed.
3. Does your agency have a signed Title VI Policy Statement?      Yes      No  
(please provide link to policy statement)
4. Does your agency have a current Title VI/Nondiscrimination Plan?      Yes      No

If so, is the plan available online to the general public?                      Yes                      No  
(Please provide link or attach a copy)

5. In the past three years, has your agency been named in a discrimination complaint or lawsuit?

Yes                      No

If so, when and what was the nature of the complaint or lawsuit and the outcome?

6. Does your agency have a written discrimination complaint process?                      Yes                      No  
(please provide a copy as an attachment)

7. Has your agency made the public aware of the right to file a complaint?                      Yes                      No  
If yes, by what mechanism? (provide as attachment)

8. Does your agency have a Limited English Proficient (LEP) Plan?                      Yes                      No  
If so, please provide link or attach a copy

9. Does your agency provide free translation services for persons with Limited English Proficiency (LEP)? Explain.

10. How does your agency ensure that Limited English Proficient (LEP) individuals have access to the agency's programs and services? Explain

11. In the past twelve months, what has your agency done to receive and consider input from all citizen groups, especially minority, low income, disabled and transit-dependent? Provide attachment, if applicable

12. Does your agency have a method to collect racial and ethnic data on citizens impacted by your projects? If so, please describe.

13. Has your agency provided written Title VI Assurances to NJTPA? Please attach a copy.

14. Does your agency include the required DBE assurance language at 49 CFR 26.13 (a) and (b) verbatim in all financial agreements, contracts and subcontracts (see Exhibit A)?

15. Does your agency physically include the Civil Rights Special Provisions (FHWA-1273) in all contracts and ensure they are included in all sub-contracts, including the third-tier?

16. Does your agency monitor DBEs compliance on its contract agreements? If so, where is this documented? If a DBE is not performing, what corrective actions or steps are taken? Who is notified of non-compliance?

17. Would your agency like Title VI training or other Civil Rights technical assistance from NJTPA?

18. Please list each attachment provided with the assessment.

**Thank You!**

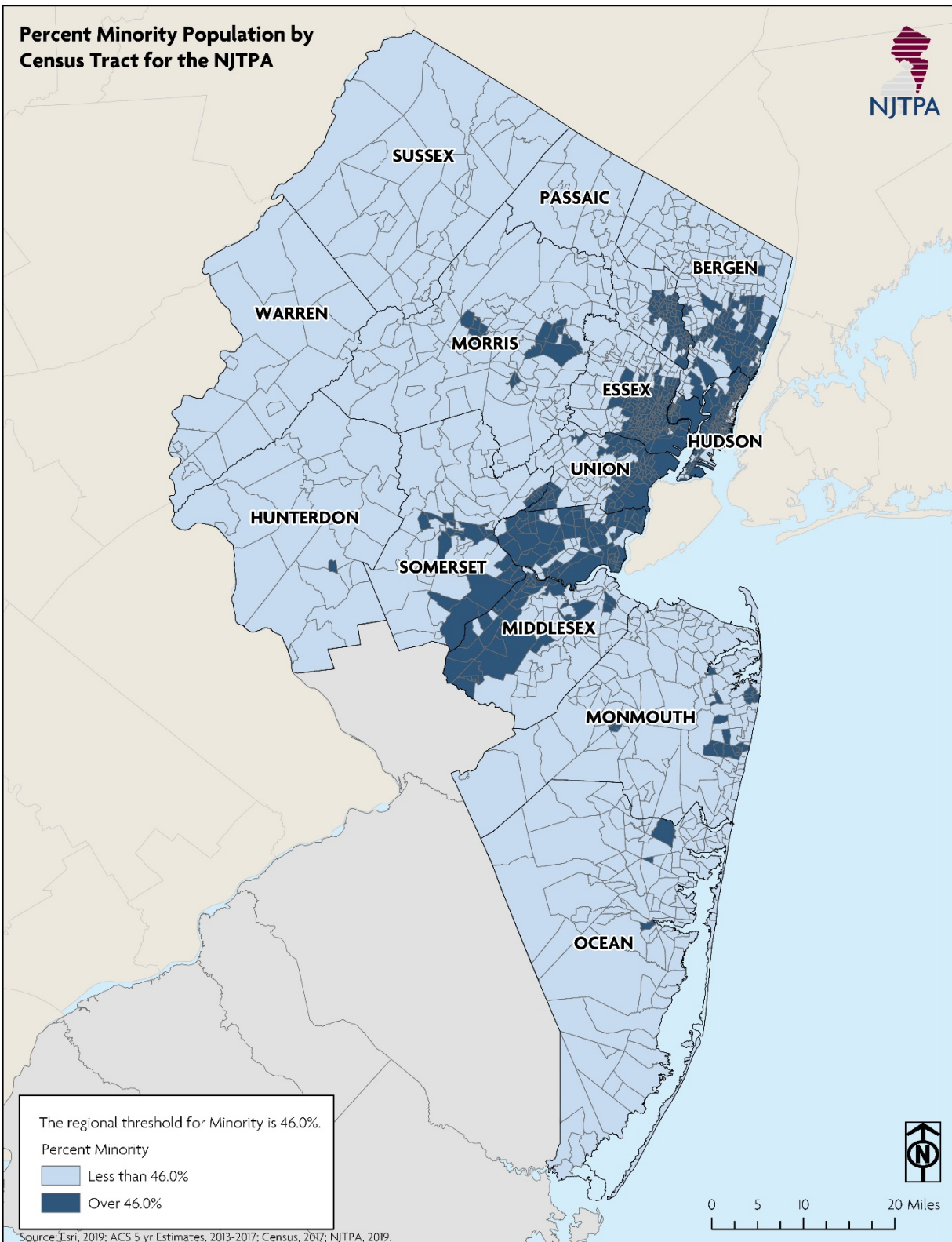
## Exhibit A

### § 26.13 What assurances must recipients and contractors make?

Each financial assistance agreement you sign with the NJTPA must include the following assurance: see website for more information on procurement guidelines <https://www.njtpa.org/Get-Involved/RFPs/RFP-RFQ/Procurement-Guidance.aspx>.

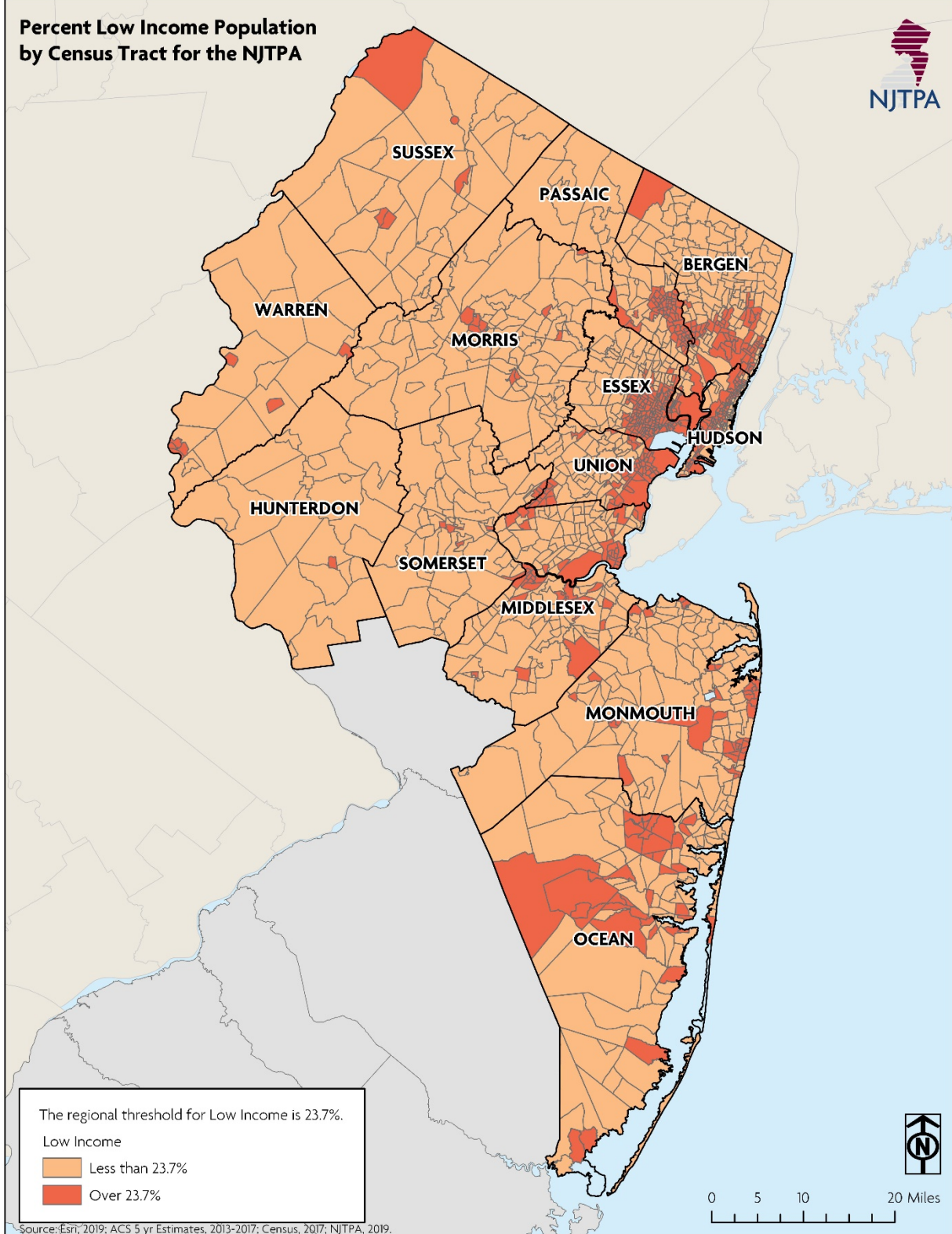
- (A) By executing this Subcontract, SUBCONTRACTOR hereby agrees during the performance of this Subcontract it is subject to and will comply with USDOT Order 1050.2A, USDOT Standard Title VI/Non-Discrimination Assurances, attached hereto as Exhibit X; and shall notify each potential subcontractor or supplier of the contractor's obligations under this Subcontract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
- (B) The SUBCONTRACTOR and its subcontractors, 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 49 CFR Part 26, shall not discriminate on the basis of race, color, national origin or sex in the award and performance of USDOT-assisted contracts. The SUBCONTRACTOR will affirmatively ensure that Disadvantaged Business Enterprises (DBE), as defined in 49 CFR Part 26, and Emerging Small Business Enterprises (ESBE), as defined by the New Jersey Department of Transportation (NJDOT), will be afforded full and fair opportunity to submit proposals in response to solicitations, will not be discriminated against on the grounds of race, color, or national origin in consideration for an award, and shall have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided under this Agreement. For this agreement, the DBE/ESBE goal, as previously established, shall be (XX.XX%). Should SUBCONTRACTOR be unable to achieve this goal, a request, in writing must be provided to the CONTRACTOR for a waiver. At this time, the CONTRACTOR will provide a determination. Failure to meet this goal, or obtain a waiver from the CONTRACTOR, may result in lack of reimbursement to SUBCONTRACTOR.

## Appendix H: Demographic Profile and TIP Maps

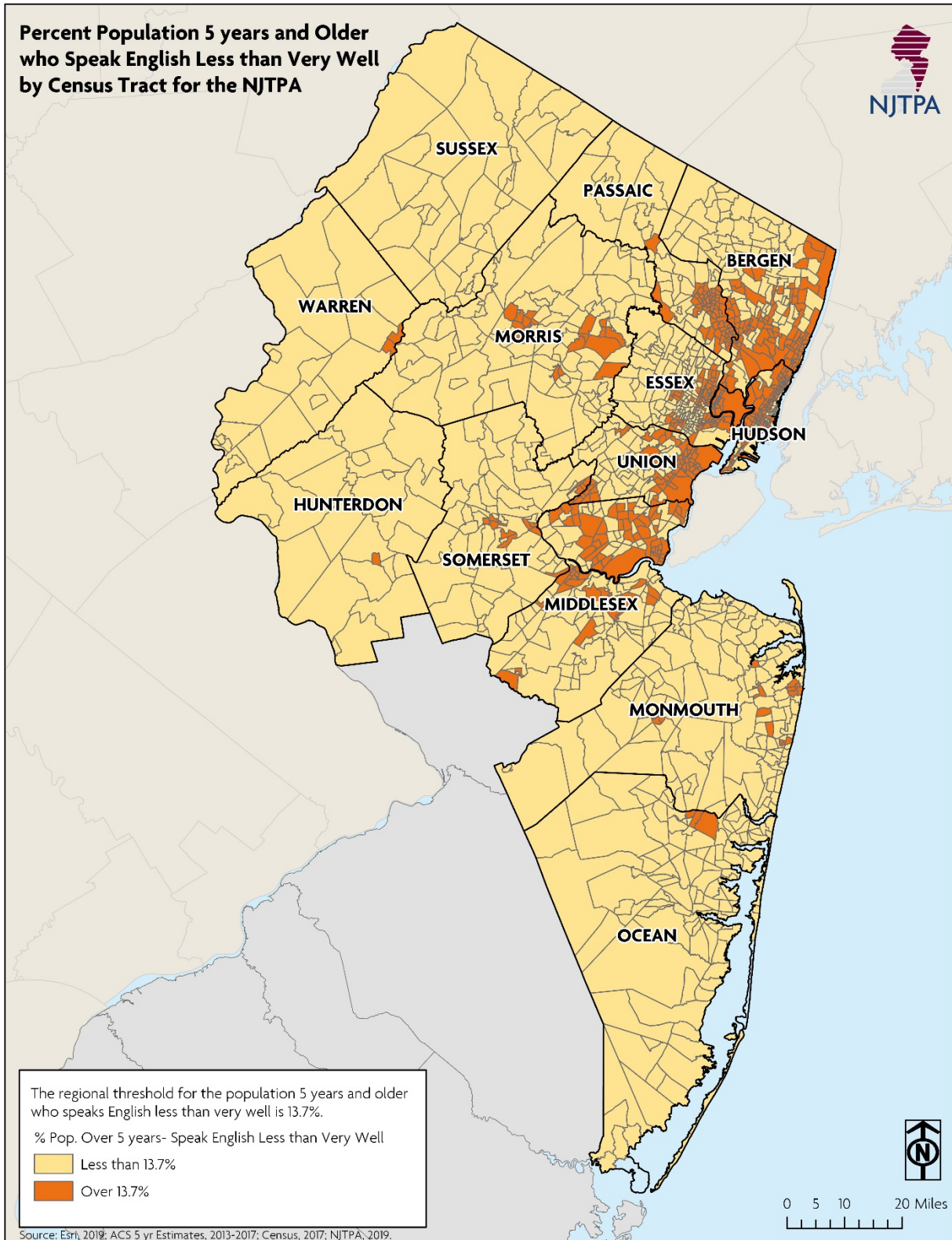




**Percent Low Income Population  
by Census Tract for the NJTPA**

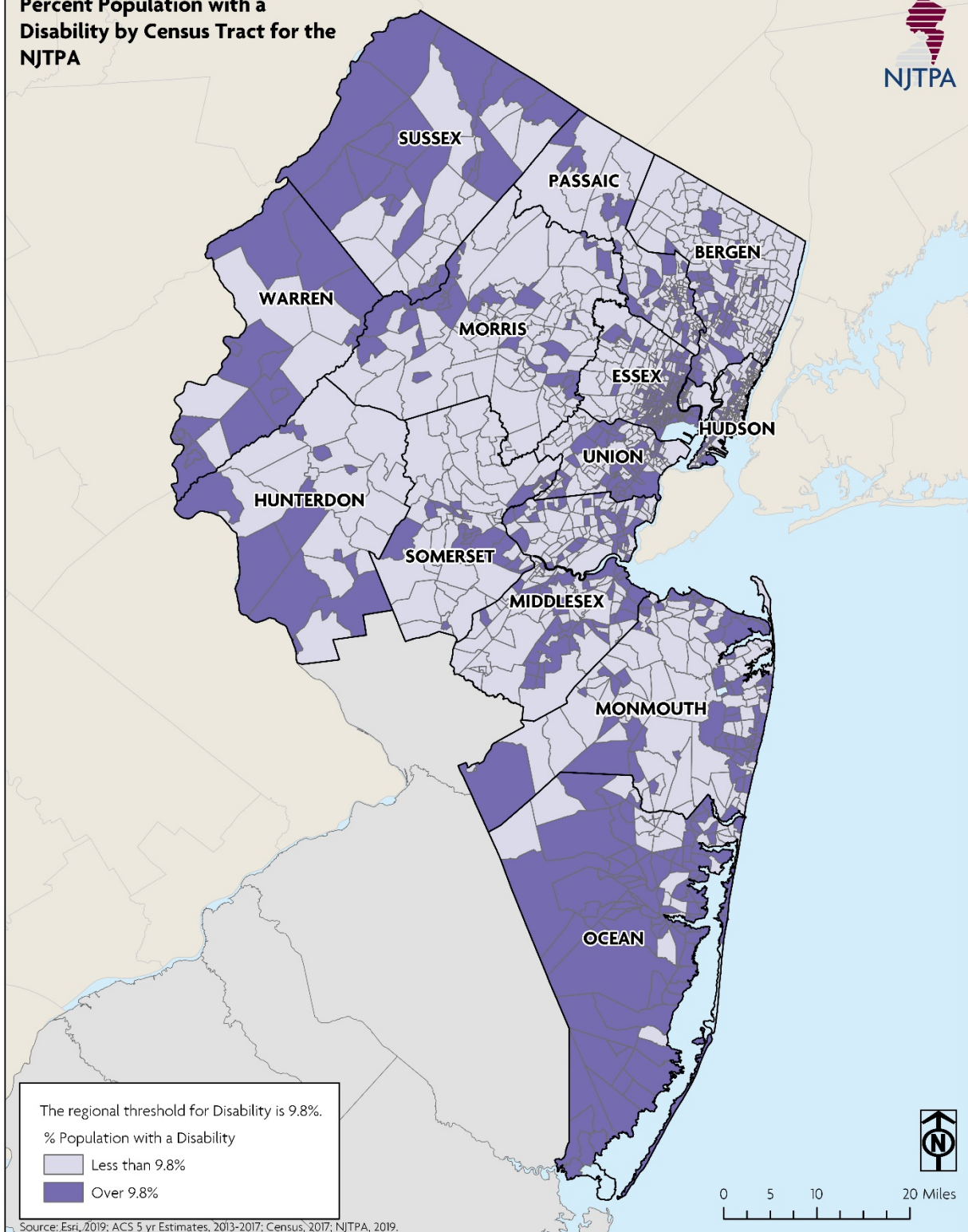


**Percent Population 5 years and Older  
who Speak English Less than Very Well  
by Census Tract for the NJTPA**

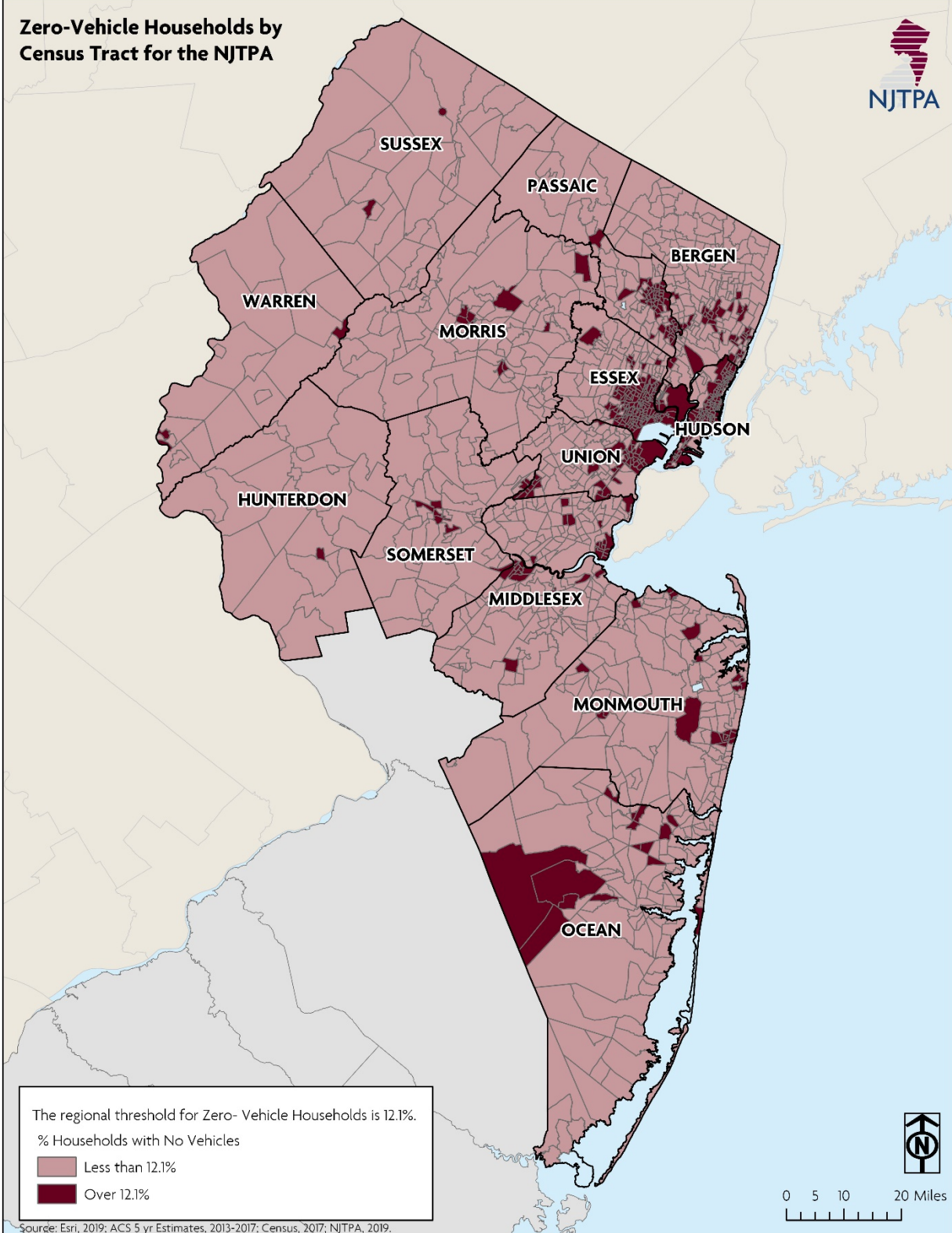




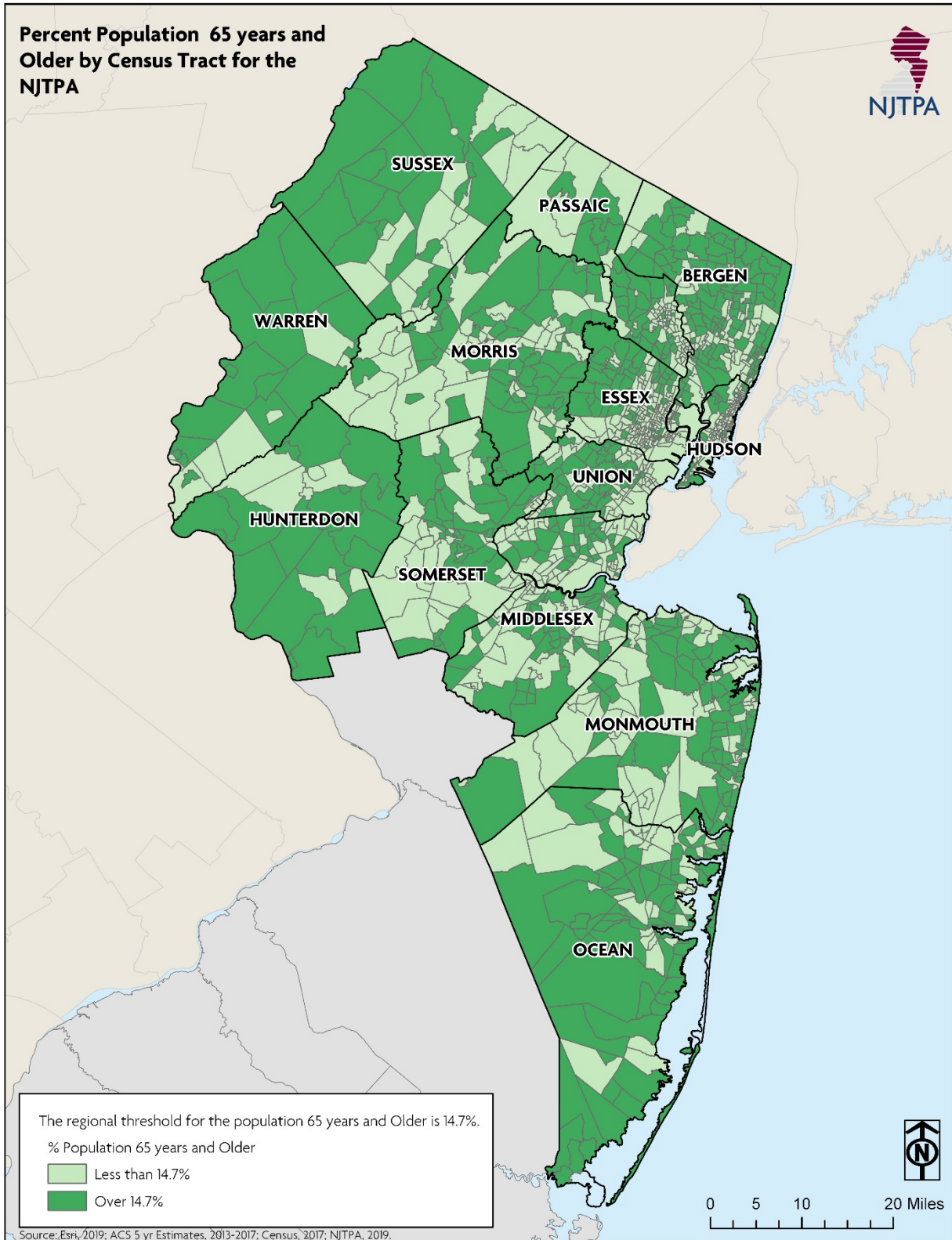
**Percent Population with a  
Disability by Census Tract for the  
NJTPA**



# Zero-Vehicle Households by Census Tract for the NJTPA

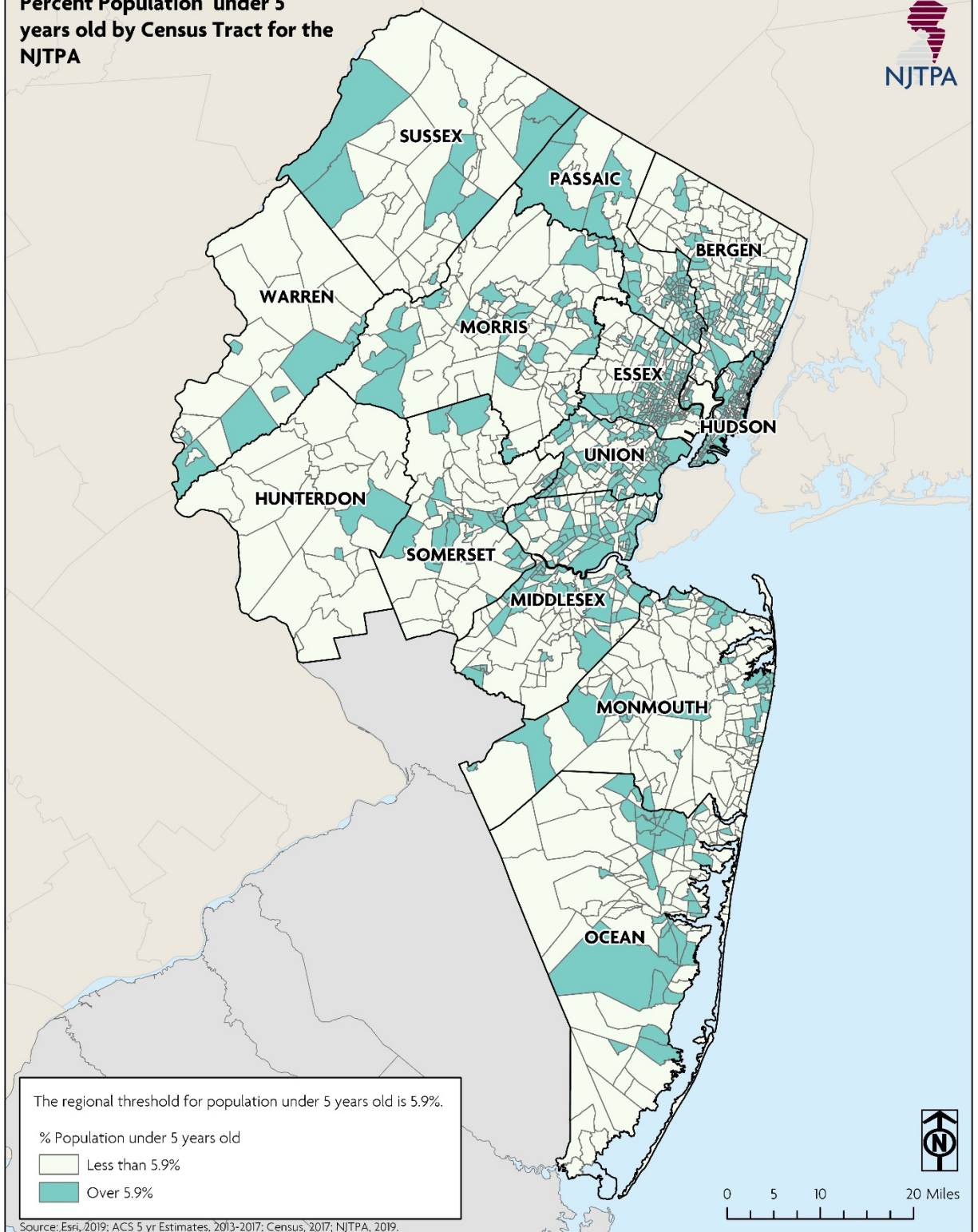


**Percent Population 65 years and Older by Census Tract for the NJTPA**



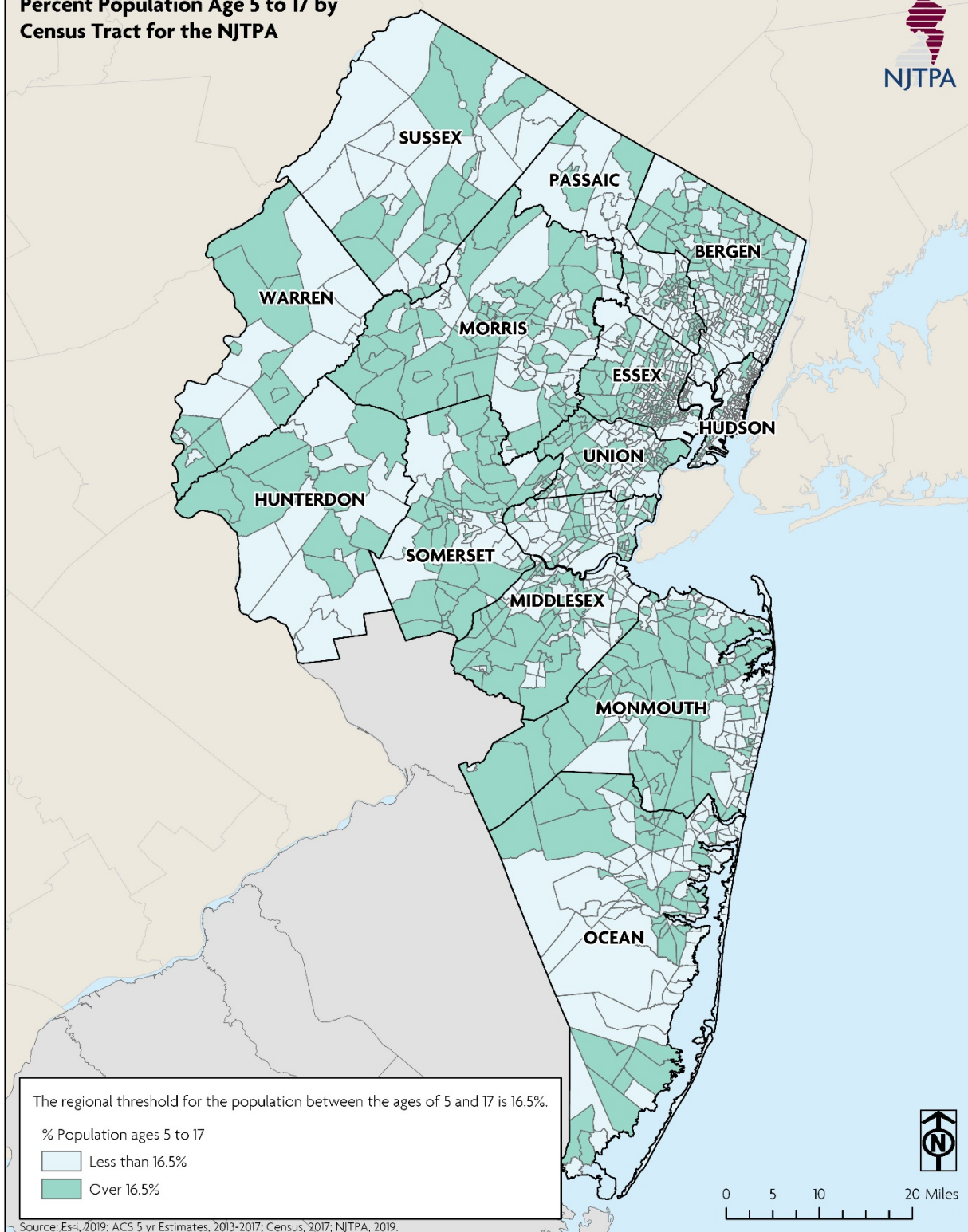


**Percent Population under 5 years old by Census Tract for the NJTPA**



Source: Esri, 2019; ACS 5 yr Estimates, 2013-2017; Census, 2017; NJTPA, 2019.

**Percent Population Age 5 to 17 by  
Census Tract for the NJTPA**



# Percent Minority Population by Census Tract and TIP Projects

