SOS APA Form 001

Mississippi Secretary of State
700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME		CONTACT PERSON	TELEPHONE NUMBER	
Mississippi Department of Transportation		Ray Goodman	601-359-7101	
ADDRESS		CITY	STATE	ZIP
P.O. Box 1850		Jackson	MS	39215
EMAIL	SUBMIT DATE	Name or number of rule(s):		
rgoodman@mdot.ms.gov	3-13-15	Equal Employment Opportunity		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: To comply with the requirements of 23 CFR, Subpart C of the Federal Code of Regulations

Specific legal authority authorizing the promulgation of rule: Section § 65-1-8 (2)(c), et. seq. of the Mississippi Code of 1972 Annotated as amended

List all rules repealed, amended, or suspended by the proposed rule: 37.I.6203.00200

ORAL PROCEEDING:

☐ An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____

☒ Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

ECONOMIC IMPACT STATEMENT:

☐ Economic impact statement not required for this rule. ☒ Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing	**Action proposed:**	**Date Proposed Rule Filed: 2-12-15**
_____ Renewal of effectiveness	_____ New rule(s)	**Action taken:**
To be in effect in _____ days	_____ Amendment to existing rule(s)	_X_ Adopted with no changes in text
Effective date:	_____ Repeal of existing rule(s)	_____ Adopted with changes
_____ Immediately upon filing	_____ Adoption by reference	_____ Adopted by reference
_____ Other (specify): _____	**Proposed final effective date:**	_____ Withdrawn
	_____ 30 days after filing	_____ Repeal adopted as proposed
	_____ Other (specify): _____	**Effective date:**
		_X_ 30 days after filing
		_____ Other (specify): _____

Printed name and Title of person authorized to file rules: Charlene Dear, Director - Central Services Division

Signature of person authorized to file rules: Charlene Dear

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
		FILED MAR 13 2015 MISSISSIPPI SECRETARY OF STATE
Accepted for filing by	**Accepted for filing by**	**Accepted for filing by** #21087

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

SOS APA Form 002
Rev. 6/12

DELBERT HOSEMANN
Secretary of State

CONCISE SUMMARY OF ECONOMIC IMPACT STATEMENT

An Economic Impact Statement is required for this proposed rule by Section 25-43-3.105 of the Administrative Procedures Act. This is a Concise Summary of the Economic Impact Statement which must be filed with the Secretary of State's Office.

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Mississippi Department of Transportation	Ray Goodman		601-359-7101
ADDRESS	CITY	STATE	ZIP
P.O. Box 1850	Jackson	MS	39215
EMAIL	DESCRIPTIVE TITLE OF PROPOSED RULE		
rgoodman@mdot.ms.gov	Equal Employment Opportunity		

Specific Legal Authority Authorizing the promulgation of Rule:	Reference to Rules repealed, amended or suspended by the Proposed Rule:
Miss. Code Ann. § 65-1-8(2) (Rev. 2006)	37.I.6203.00200

A. Estimated Costs and Benefits

1. Briefly summarize the benefits that may result from this regulation and who will benefit:

   This proposed rule will inform potential applicants that MDOT is an equal opportunity employer

2. Briefly describe the need for the proposed rule:

   Title VII of the Civil Rights Act of 1964 requires that we do not discriminate on the basis of race, color, religion, national origin, sex, age or disability. Code of Federal Regulations 23, Subpart C requires that we have written policies addressing these matters

3. Briefly describe the effect the proposed action will have on the public health, safety, and welfare:

   N/A

4. Estimated Cost of implementing proposed action:
   a. To the agency
      ☐ Nothing ☒ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
   b. To other state or local government entities

☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive

5. Estimated Cost and/or economic benefit to all persons directly affected by the proposed rule:
   c. Cost:
      ☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive
   d. Economic Benefit:
      ☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive

6. Estimated impact on small businesses:
   ☒ Nothing ☐ Minimal ☐ Moderate ☐ Substantial ☐ Excessive

   a. Estimate of the number of small businesses subject to the proposed regulation: 0
   b. Projected costs for small businesses to comply: 0
   c. Statement of probable effect on impacted small businesses: N/A

7. The cost of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):
   ☐ substantially less than ☐ moderately less than ☐ minimally less than
   ☒ the same as ☐ minimally more than ☐ moderately more than
   ☐ substantially more than ☐ excessively more than

8. The benefit of adopting the rule compared to not adopting the rule or significantly amending the existing rule (check option):
   ☐ substantially less than ☐ moderately less than ☐ minimally less than
   ☐ the same as ☐ minimally more than ☐ moderately more than
   ☒ substantially more than ☐ excessively more than

B. Reasonable Alternative Methods

1. Other than adopting this rule, are there less costly or less intrusive methods for achieving the purpose of the proposed rule?
   ☐ yes ☒ no

2. If yes, please briefly describe available, reasonable alternative(s) and the reasons for rejecting those alternatives in favor of the proposed rule. (Please see §25-43-4.104 for factors you must consider.)

C. Data and Methodology

1. Please briefly describe the data and methodology you used in making the estimates required by this form.

   Factored in the cost of lawsuits if there is no policy in place to address discrimination issues.

D. Public Notice

1. Where, when, and how may someone present their views on the proposed rule and request an oral proceeding on the proposed rule if one is not already scheduled?

   Mississippi Department of Transportation, Office of Civil Rights, 401 North West Street, 9th Floor, Jackson, MS 39201

SIGNATURE Charlene Dear	TITLE Director, Central Services Division
DATE March 13, 2015	PROPOSED EFFECTIVE DATE OF RULE April 13, 2015