

## **South Carolina DBE Interstate Certification Process**

The SCDOT will consider all firms seeking DBE certification in South Carolina if the applicant's firm is currently certified in their home state. Certification is dependent on a review of the current home state certification in accordance with Federal regulations 49 CFR 26.85.

If a firm in another state is interested in DBE certification, the following will apply:

The applicant must submit:

- A complete copy of the DBE application and all supporting documents submitted to the home state DOT/UCP
- Copies of the DBE certification issued by the home state
- Copies of the DBE certification/denial of certification issued by any other state and any requests for a certification appeal
- Three (3) years of personal tax returns and business Federal tax returns for five (5) years (No State Tax Returns)
- A current personal net worth statement dated and signed on the date of the SCDOT application
- An Affidavit (attached) indicating the DBE certification application is correct and current
- On-sites that are more than (3) years old may be accepted if the applicant completes an affidavit attesting the facts on the on-site report remain true and correct
- SCDOT will complete applications reviews within sixty (60) calendar days
- Applicants found to be ineligible for certification will be notified by letter within sixty (60) calendar days and given an opportunity to respond in person or writing
- Only complete applications will be considered for certification
- Ensure documented proof of your initial investment is included in accordance with 49 CFR 26.69(c) & i(1)

Mail to:  
Office of Civil Rights Programs  
Suite 117  
955 Park Street  
Columbia, SC 29201

Call the Office of Civil Rights Programs at 803-737-1372 if you have any questions.

STATE OF \_\_\_\_\_ )  
 )

**AFFIDAVIT OF CORRECT AND CURRENT  
APPLICATION FOR SC INTERSTATE DBE  
CERTIFICATION**

County of \_\_\_\_\_ )

Name of Applicant Firm: \_\_\_\_\_

PERSONALLY APPEARED BEFORE ME the undersigned, who being duly sworn, says that:

(1) I am the majority owner of the above firm and I control the firm as required by the DBE regulations set forth in 49 CFR part 26.

(2) There have been no changes in the circumstances of the firm since the date it was certified which would affect its ability to meet the DBE eligibility requirements concerning size, disadvantaged status, ownership, or control as set forth in 49 CFR part 26.

(3) There have been no material changes in the information provided in the firm's initial application for certification with \_\_\_\_\_ (Home State DOT/UCP).

(4) I have submitted all of the information required by 49 CFR 26.85(c)(1) and it is an identical copy of the information submitted to my home state.

SWORN TO BEFORE ME THIS

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_ (Printed name of owner)

\_\_\_\_\_ (Affix Seal) \_\_\_\_\_ (Signature of owner)

NOTARY PUBLIC FOR \_\_\_\_\_

My commission expires: \_\_\_\_\_

## Notice Regarding Ownership Interests Acquired with Marital Assets

Please complete this form if you used funds to start your business that is held jointly with your spouse. If you have any questions or need clarification regarding the DBE Spousal Renunciation form, please call 803-737-1372.

Please be advised that a special rule applies to ownership interests in the applicant firm that were acquired with marital assets. This rule is found in 49 CFR 26.69(i), which provides as follows:

49 CFR 26.69 (i) - You must apply the following rules in situations in which marital assets form a basis for ownership of a firm:

(1) When marital assets (other than the assets of the business in question), held jointly or as community property by both spouses, are used to acquire the ownership interest asserted by one spouse, you must deem the ownership interest in the firm to have been acquired by that spouse with his or her own individual resources, provided that the other spouse irrevocably renounces and transfers all rights in the ownership interest in the manner sanctioned by the laws of the state in which either spouse or the firm is domiciled. You do not count a greater portion of joint or community property assets toward ownership than state law would recognize as belonging to the socially and economically disadvantaged owner of the applicant firm.

(2) A copy of the document legally transferring and renouncing the other spouse's rights in the jointly owned or community assets used to acquire an ownership interest in the firm must be included as part of the firm's application for DBE certification.

### Example:

**If the wife acquired her ownership interest in the applicant firm with money from a bank account owned jointly with her husband, the application must include a copy of her husband's irrevocable renunciation of his interest in the money used to purchase the wife's ownership interest. The irrevocable renunciation must be sufficient under the laws of the state where the husband and wife reside and the applicant firm is domiciled.**





**Further, I certify that this spousal renunciation is sanctioned by the laws of the State in which I reside and the State which the Applicant Firm is domiciled.**

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**Witness:**

\_\_\_\_\_  
**Print Name of Witness**

\_\_\_\_\_  
**Signature of Witness**

\_\_\_\_\_  
**Print Name of Spouse Revoking Interest**

\_\_\_\_\_  
**Signature of Spouse Revoking Interest**

\_\_\_\_\_  
**Daytime Telephone (include area code)**

**Mailing Address:**

\_\_\_\_\_  
\_\_\_\_\_

**SWORN TO BEFORE ME**

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
**(Affix Seal)**

**Notary Public for** \_\_\_\_\_

**My commission expires:** \_\_\_\_\_

