

**HOUSE . . . . . No. 3675**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

*Michelle L. Ciccolo*

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*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to create a net-zero transportation financing commission.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>1/19/2023</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>3/16/2023</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>4/10/2023</i>

**HOUSE . . . . . No. 3675**

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By Representative Ciccolo of Lexington, a petition (accompanied by bill, House, No. 3675) of Michelle L. Ciccolo and Christine P. Barber for legislation to establish a special commission on transportation finance for achieving net-zero statewide greenhouse gas emissions by the year 2050. Telecommunications, Utilities and Energy.

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**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Third General Court  
(2023-2024)**

An Act to create a net-zero transportation financing commission.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. (a) The general court hereby finds and declares that:

2 (i) The commonwealth is committed to a statewide emissions limit that achieves net-  
3 zero statewide greenhouse gas emissions by the year 2050.

4 (ii) The commonwealth’s transportation sector is both the largest and the fastest  
5 growing emitter of greenhouse gases.

6 (iii) To meet the goal of net-zero by 2050 a large proportion of the greenhouse gas  
7 emission reductions must come from the transportation sector. This includes:

8 (1) accelerating conversion of cars and light duty trucks to electricity or other zero  
9 emission technologies;

10 (2) financing, retrofitting, siting and designing transportation infrastructure to reduce  
11 emissions and to make it resilient to a changing climate.

12 (3) developing strategies and market incentives to expand the use of transit and reduce  
13 single occupancy vehicles

14 (4) a recognition that Massachusetts is a demographically and geographically diverse  
15 state, and transportation challenges and solutions vary within and among populations and  
16 regions.

17 (iv) The commonwealth also has significant transportation assets that will need capital  
18 upgrades in order to be climate resilient and remain functional within the context of rising  
19 waters, and increasing severity of weather.

20 (v) The commonwealth is committed to providing safe and reliable transit facilities  
21 and recognizes the use of one-time Federal money in the operations of the MBTA and the RTAs  
22 is finite and a permanent operating solution will be needed on or before June 30, 2023.

23 The financing of capital and operating costs of the commonwealth's transportation sector  
24 must align with the commonwealth's 2050 guidelines for net-zero and consider the need to  
25 modernize our facilities to adapt to climate change. To that end, the general court shall establish  
26 a special commission to study and review transportation financing of net zero emissions by 2050  
27 as provided in this section.

28 (b) There is hereby established a special commission on transportation finance for "net-  
29 zero by 2050" to investigate, study, and make recommendations on the development and  
30 deployment of comprehensive and regionally equitable public transportation pricing, roadway

31 pricing, and congestion pricing to further the climate goals of the Commonwealth. The  
32 commission shall be composed of the following members: 5 members who shall not be  
33 employees of the executive branch and who shall reside in different geographic regions of the  
34 commonwealth, 1 of whom shall be a representative of the Construction Industries of  
35 Massachusetts, to be appointed by the governor to serve terms of 2 years; 3 members, who shall  
36 not be members of the general court and who shall reside in different geographic regions of the  
37 commonwealth, to be appointed by the president of the senate to serve a term of 2 years; and 3  
38 members, who shall not be members of the general court and who shall reside in different  
39 geographic regions of the commonwealth, to be appointed by the speaker of the house of  
40 representatives to serve a term of 2 years; a representative of the Massachusetts Taxpayers  
41 Foundation; a representative of the Massachusetts Business Roundtable; a representative of the  
42 Massachusetts Municipal Association; a representative of the Regional Transit Authorities as  
43 chosen by the secretary of transportation; a representative of the Regional Planning Agencies as  
44 chosen by MARPA; and a representative of the MBTA Advisory Board. Each of the members of  
45 the commission shall be an expert with experience in the fields of law or public policy,  
46 transportation planning, or design and construction of transportation projects. One of the  
47 members appointed by the governor, 1 of the members appointed by the president of the senate,  
48 and 1 of the members appointed by the speaker of the house of representatives shall be  
49 representatives of the Massachusetts business community. One of the members appointed by the  
50 governor, 1 of the members appointed by the president of the senate, and 1 of the members  
51 appointed by the speaker of the house of representatives shall be representatives of  
52 environmental organizations, planning organizations, transportation consumer organizations or  
53 other public interest organizations. One of the members appointed by the governor shall be an

54 expert in the field of management consulting or organizational change. One of the members  
55 appointed by the governor shall be an expert in the field of public finance. One of the members  
56 shall be appointed by the governor to serve as chairperson of the commission. The members of  
57 the commission shall be appointed no later than two months from the passage of this act.

58 (c) The commission shall:

59 (1) endeavor to understand the current transportation financial landscape, by identifying  
60 and providing for current transportation funding forecasts, including but not limited to: (i)  
61 providing estimates of annual operation and maintenance costs for roadways; (ii) providing  
62 estimates of annual revenue with consideration of declining motor vehicle fuel excise revenue  
63 due to vehicle electrification; (iii) providing traffic forecasts, including forecasts of traffic  
64 diversion impacts; (iv) providing year to year estimates of annual operation and maintenance  
65 costs of the MBTA and Regional Transit Authorities; and (v) providing estimates of annual  
66 revenue, and the methodology employed for such estimates, including an analysis of revenue  
67 from the “fair share” amendment for the repair and maintenance of roads, bridges and public  
68 transportation.

69 (2) provide specific operating and capital funding options for the transportation sector to  
70 align with the commonwealth’s year 2050 requirements for net-zero greenhouse gas emissions  
71 and provide for transportation climate resiliency. Such requirements shall also include  
72 identifying and providing for sources of funding for such costs for meeting the 2025, 2030, 2035,  
73 2040, 2045 and 2050 statewide greenhouse gas emissions limits, including but not limited to: (i)  
74 identifying and analyzing physical, technological, legal and other issues or requirements related  
75 to roadway pricing in the commonwealth; (ii) propose detailed specifications and regionally-

76 equitable locations for toll gantries and other equipment necessary to assess and collect tolls; (iii)  
77 review roadway pricing scenarios under the federal Value Pricing Pilot Program; (iv) propose  
78 equitable increase in transportation network company fees; including increased ride share fees  
79 and excise taxes on out-of-state operators; (v) propose any other revenue sources and strategies  
80 that may be needed to meet the commonwealth's 2050 emissions mandates; (vi) provide a  
81 regional and social equity analysis with specific recommendations related to mitigating adverse  
82 impacts for low income residents; (vii) identify all local, state and federal approvals necessary to  
83 deploy new tolls and other roadway pricing mechanisms on relevant roadways; and (viii) take  
84 into consideration roadway and congestion pricing programs in other jurisdictions throughout the  
85 United States and the world.

86 (3) identify costs to ensure a reliable, safe, and resilient public transportation system that  
87 aligns with the commonwealth's year 2050 requirements for net-zero greenhouse gas emissions.  
88 Such requirements shall also include identifying and providing for sources of funding for such  
89 costs for meeting the 2025, 2030, 2035, 2040, 2045 and 2050 statewide greenhouse gas  
90 emissions limits, including but not limited to; (i) study commute and demand patterns for public  
91 transit entities; (ii) study economic development and housing patterns and projections and the  
92 impact each has on public transit demand; (iii) review the commonwealth's laws regarding  
93 emissions reductions within the transportation sector; (iv) determine fare structures for all modes  
94 of transit of the Massachusetts Bay Transportation Authority and regional transit authorities that  
95 account for commute patterns and demand, economic development and housing patterns and  
96 emissions reduction requirements; (v) examine the feasibility of means tested fares (vi) provide  
97 estimates of costs to implement the adaptation needs identified in the vulnerability assessment;  
98 (vii) provide estimates of costs of annual revenue; (viii) provide ridership forecasts; (ix) provide

99 a regional and social equity analysis with specific recommendations related to mitigating adverse  
100 impacts; (x) identify all local, state and federal approvals necessary to deploy new fare structures  
101 at Regional Transit Authorities and the Massachusetts Bay Transportation Authority; and (xi)  
102 provide potential impacts on vehicular emissions reduction;

103 (4) analyze the efficacy and financial sufficiency of the commonwealth’s current “chapter  
104 90 program” in meeting the goal of net zero by 2050 and climate resiliency; provided, that the  
105 commission shall include in its review the sufficiency of chapter 90 program’s current funding  
106 formula based on local road mileage, population and employment and alternatives thereto,  
107 including the additional or alternative factor of a municipalities’ equalized value in the formula;

108 (5) consult and collaborate with all of the commonwealth’s regional transportation  
109 agencies, regional planning agencies, regional economic development organizations, the  
110 Massachusetts Municipal Association, the commonwealth’s gateway cities, and the city of  
111 Boston to address geographical transportation financing challenges and solutions that vary within  
112 and among the commonwealth’s regions; and

113 (6) consult and collaborate with community-based organizations and communities of  
114 color and diversity regarding social equity issues impacting transportation sector financing  
115 including, but not limited to, social equity issues for communities underserved by the current  
116 transportation financing system and most directly impacted by congestion and greenhouse gas  
117 emissions. The commission shall, on an ongoing basis, evaluate its efforts to provide for such  
118 consultation and collaboration.

119 (e) The commission may also: (i) propose any other revenue sources and strategies that  
120 may be needed to meet the commonwealth’s 2050 emissions mandates; and (ii) provide year-to-

121 year direct measurements and estimates of annual operation and maintenance costs; and (iii)  
122 propose methods of distributing methods of raised revenue that are in line with the program's  
123 goals.

124 (f) The commission may investigate, study, and make recommendations on additional  
125 mobility methods as necessary.

126 (d) The commission shall develop an interim initial report with recommendations on  
127 MBTA and RTA financing within nine months of the passage of this act.

128 (e) The commission shall develop a final report detailing its findings, including a draft of  
129 any legislation required to implement its recommendations to the governor, the secretary of  
130 transportation, the clerks of the house of representatives and the senate, the house and senate  
131 committees on ways and means and the joint committee on transportation within 14 months from  
132 the passage of this act.

133 (f) For the administration of the commission, and without further appropriation, the  
134 secretary of the Massachusetts Department of Transportation shall expend from the  
135 Massachusetts Transportation Trust Fund, established in section 4 of chapter 6C of the General  
136 Laws, the amount of \$200,000; provided that, the commission shall have a budget of \$100,000  
137 for the calendar years 2023 and 2024, shall have access to the resources and staff of the  
138 employees of the Massachusetts Department of Transportation and the MBTA and may employ  
139 such additional staff or consultants as it may deem necessary.

140 (g) This section shall take effect immediately upon its passage.