

# **HOUSE . . . . . No. 4397**

---

---

## The Commonwealth of Massachusetts

---

HOUSE OF REPRESENTATIVES, February 6, 2020.

The committee on Transportation to whom was referred the message from His Excellency the Governor recommending legislation relative to authorizing and accelerating transportation investment (House, No. 4002), reports recommending that the accompanying bill (House, No. 4397) ought to pass.

For the committee,

WILLIAM M. STRAUS.

**HOUSE . . . . . No. 4397**

---

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-First General Court  
(2019-2020)**

An Act authorizing and accelerating transportation investment.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to finance forthwith improvements to the commonwealth’s transportation system, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*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. To provide for a program of investments to make the commonwealth’s  
2 transportation system more reliable, address deferred maintenance, and modernize and expand  
3 the system, the sums set forth in sections 2 to 2H, inclusive, for the several purposes and subject  
4 to the conditions specified in this act, are hereby made available, subject to the laws regulating  
5 the disbursement of public funds; provided, however, that the amounts specified in an item or for  
6 a particular project may be adjusted in order to facilitate projects authorized in this act. The sums  
7 made available in this act shall be in addition to any amounts previously made available for these  
8 purposes.

9           SECTION 2.

10           MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

11 Highway Division

12 6121-2114 For projects on the interstate and non-interstate federal highway system;  
13 provided, that funds may be expended for the costs of these projects including, but not limited to  
14 the nonparticipating portions of these projects and the costs of engineering and other services  
15 essential to these projects; provided further, that funds may be expended for bicycle and  
16 pedestrian and other multi-modal facilities; provided further, that notwithstanding this act or any  
17 other general or special law to the contrary, the department shall not enter into any obligations  
18 for projects which are eligible to receive federal funds under this act unless state matching funds  
19 exist which have been specifically authorized and are sufficient to fully fund the corresponding  
20 state portion of the federal commitment to fund these obligations; and provided, further, that the  
21 department shall only enter into obligations for projects under this act based upon a prior or  
22 anticipated future commitment of federal funds and the availability of corresponding state  
23 funding authorized and appropriated for this use by the general court for the class and category  
24 of project for which this obligation  
25 applies.....\$5,600,000,000

26 SECTION 2A.

27 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

28 Highway Division

29 6121-2117 For the design, construction and repair of, or improvements to,  
30 nonfederally-aided roadway and bridge projects and for the nonparticipating portion of federally-  
31 aided projects; provided, that the department may use these funds for the purchase and  
32 rehabilitation of facilities, heavy equipment and other maintenance equipment; provided further,

33 that the department may use these funds for multi-modal facilities; provided further, that the  
34 amounts specified in this item for a particular project or use, if any, may be adjusted in order to  
35 facilitate other projects relating to the design, construction, repair or improvement to  
36 nonfederally-aided roadway and bridge  
37 projects.....\$2,750,000,000

38           6121-2147   For the planning, study, design, construction, reconstruction, resurfacing,  
39 repair, climate change adaptation, multi-modal access, and improvement of transportation  
40 infrastructure associated with the approaches to the Bourne Bridge and the Sagamore Bridge, and  
41 other transportation infrastructure improvements to enhance the traffic safety, traffic flow, and  
42 ease congestion at each of the Bourne Bridge and the Sagamore Bridge, respectively, and to  
43 prepare for and to leverage federal investments and improvements to each such bridge; including  
44 but not limited to highway, interchange, and non-highway improvements; elements that improve  
45 access for all modes, pavement, surface conditions, approaches, ramps, rotaries, exits,  
46 alignments, lane enhancements, signage, and safety features; provided that this item may also be  
47 expended for costs associated with the planning, study, design, construction, reconstruction,  
48 resurfacing, repair, multi-modal access, and improvement of transportation infrastructure in and  
49 around the Cape Cod Canal area including in Bourne and Sandwich; provided, further, that  
50 expenditures from this item may include the costs of engineering, design, permitting, climate  
51 change adaptation and resilience, and other services essential to projects under this  
52 item.....\$350,000,000

53           6121-2157   For the construction, reconstruction, resurfacing, repair, and improvement  
54 of pavement and surface conditions on nonfederally-aided roadways, including but not limited to  
55 state numbered routes and municipal roadways; provided that expenditures from this item may

56 include the costs of engineering, design, permitting, climate change adaptation and resilience,  
57 and other services essential to projects under this  
58 item.....\$150,000,000

59 SECTION 2B.

60 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

61 Highway Division

62 6121-2118 For the municipal small bridge program for the purposes of design,  
63 engineering, construction, preservation, reconstruction and repair of or improvements to  
64 nonfederally-aided bridges and approaches meeting the criteria of the municipal small bridge  
65 program as determined by the department; provided, that expenditures from this item may  
66 include the costs of engineering, design, permitting, climate change adaptation and resilience,  
67 and other services essential to projects under this item; provided further, that a city or town shall  
68 comply with the procedures established by the department with respect to the municipal small  
69 bridge program; and provided further, that no amounts appropriated under this item shall be  
70 expended for bridges or approaches owned by or under the control of the department or the  
71 Massachusetts Bay Transportation  
72 Authority.....\$70,000,000

73 6121-2127 For the purpose of implementing a program to address localized  
74 operationally-influenced bottlenecks that negatively impact traffic flow, including but not limited  
75 to redesign, re-striping, lane and shoulder width adjustments, addition of auxiliary, collector and  
76 distributor lanes, signal improvements, ramp adjustments, signage, and other infrastructure  
77 improvements to reduce congestion, improve traffic flow, address safety issues, and reduce

78 idling and greenhouse gas emissions; provided, further that funds may be used for the purpose of  
79 grants to municipalities

80 .....\$50,000,000

81           6121-2128   For the construction, reconstruction, resurfacing, repair, and improvement  
82 of pavement and surface conditions on municipal roadways; provided, that expenditures from  
83 this item may include the costs of engineering, design, permitting, climate change adaptation and  
84 resilience, and other services essential to projects under this item; provided further, that funds  
85 may be expended from this item for matching grants to municipalities; provided further, that the  
86 department may use these funds for improving the condition of bicycle and pedestrian  
87 accommodations related to such roadway projects consistent with principles of the complete  
88 streets program established pursuant to chapter 90I of the General Laws when feasible; provided  
89 further, that in connection with a grant under this item, a city or town shall comply with the  
90 procedures established by the department with respect to municipal roadways in the pavement  
91 improvement program.....\$100,000,000

92           6121-2138   For the complete streets program established pursuant to chapter 90I of the  
93 General Laws, as amended, for complete streets grants to  
94 municipalities.....\$20,000,000

95           6622-2187   For the purpose of implementing a program for transit-supportive  
96 infrastructure, including, but not limited to, dedicated bus lanes, signal prioritization, shelters,  
97 lighting, signage, repairs and other improvements, technology and accessibility features, and  
98 other infrastructure elements; provided, that projects may be used to improve and facilitate more  
99 efficient delivery of transit operations, encourage municipal investment and support of transit  
100 facilities, benefit passenger experience, and to enhance transit rider and pedestrian service and

101 safety; provided, further that funds may be used for the purpose of grants to  
102 municipalities.....\$50,000,000

103 SECTION 2C.

104 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

105 Highway Division

106 6121-2137 For the construction, reconstruction, resurfacing, repair, and improvement  
107 of bridges, approaches and related infrastructure, including elements that improve access for all  
108 modes; provided, that expenditures from this item may include the costs of engineering, design,  
109 permitting, climate change adaptation and resilience, and other services essential to projects  
110 under this  
111 item.....\$1,250,000,000

112 SECTION 2D.

113 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

114 Rail and Transit Division

115 6621-2117 For the purpose of implementing rail improvements pursuant to chapter  
116 161C of the General Laws; provided, that funds may also be used for transportation planning,  
117 design, permitting, acquisition of interests in land and engineering for rail projects, including the  
118 industrial rail access program; provided further, that the department may use funds from this  
119 item for the costs of engineering and other services essential to these projects; provided, further,  
120 that the department may use these funds for a particular project or use may be adjusted in order

121 to facilitate other projects, if  
122 any.....\$400,000,000

123       6622-2117   For the purposes of chapter 161B of the General Laws, including, but not  
124 limited to, projects that may maintain and improve the overall condition, reliability and  
125 resiliency of regional transit networks and facilities, including the purchase and rehabilitation of  
126 rolling stock, low or no emission vehicles, and other infrastructure and equipment required to  
127 support such rolling stock, related assets and support equipment, rehabilitation of regional transit  
128 authority facilities, including maintenance, and passenger facilities, and purchase of related  
129 appurtenances, equipment, technology, and  
130 tools.....\$330,000,000

131       6622-2127   For the purposes of implementing the mobility assistance program  
132 pursuant to section 13 of chapter 637 of the acts of 1983 and regional intercity bus and  
133 intermodal service; provided, that funds may also be used for transportation planning, design,  
134 permitting, acquisition of interests in land and engineering for bus and other transit  
135 projects.....\$60,000,000

136       SECTION 2E.

137       MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

138       Office of the Secretary

139       6621-2108   For the purpose of implementing sustainable transit system modernization  
140 investments and rail improvements pursuant to chapter 161A of the General Laws; provided, that  
141 funds may be used for transportation planning, design, permitting and engineering, right-of-way



142 acquisition, acquisition of interests in land, vehicle procurement, construction, and climate  
143 change adaptation and resilience improvements, including, without limitation, construction,  
144 reconstruction, retrofitting, resilience, efficiency improvements, and modernization of stations,  
145 signals, tracks, power and electrical systems; planning, design, permitting and engineering,  
146 acquisition of interests in and rights to land, construction and reconstruction, improvement,  
147 expansion, renovation, repair, relocation, and equipping of maintenance and storage facilities,  
148 including, but not limited to, technology to support and service battery electric, hybrid and other  
149 low emission transit vehicles; and for heavy rail, light rail and bus projects which projects shall  
150 include, but shall not be limited to, the red line, orange line, green line, silver line and blue line,  
151 including feasibility and planning studies and capital support for pilot services; provided, further,  
152 that funds may be used for modernizing the bus fleet and associated infrastructure of the  
153 Massachusetts Bay Transportation Authority system, including, but not limited to,  
154 implementation of the so-called Better Bus Project; provided, further, that funds may be used for  
155 the purpose of implementing the green line transformation program including, but not limited to,  
156 planning, design, and procurement of rolling stock to improve service, reliability, enhance rider  
157 accessibility, and increase capacity; provided, further, that funds may be used for the purchase  
158 and rehabilitation of heavy equipment and other maintenance equipment; provided further, that  
159 funds shall be expended for the design and construction for signalization improvements located  
160 along the blue in the city of Boston between the Bowdoin and Wonderland station; provided  
161 further, that funds shall be expended for the design and construction of a commuter rail station at  
162 Wonderland Park on the Newburyport and Rockport line in the city of Revere, together with  
163 design and construction of an enclosed pedestrian connection to the Wonderland station  
164 intermodal transit facility on the blue in the city of Revere; provided further, that money shall be

165 expended for the purpose of implementing the blue line extension to Charles/MGH station  
 166 improvements provided further, that funds may be used for transportation planning, design,  
 167 permitting and engineering, acquisition of interests in land, vehicle procurement, construction,  
 168 construction of stations and right of way acquisitions; provided, further, that funds may be used  
 169 for safety, accessibility and security equipment and improvements, energy efficiency, climate  
 170 change adaptation and emergency preparedness, bicycle and pedestrian access improvements,  
 171 and so-called “last mile” capital improvements; provided, further, that final assembly of the  
 172 orange line and red line non-pilot production vehicles, as defined within the Massachusetts Bay  
 173 Transportation Authority’s procurement of said vehicles, shall take place in the commonwealth;  
 174 and provided further, that the Massachusetts Bay Transportation Authority in evaluating  
 175 proposals for the furnishing and delivery of non-pilot production vehicles shall consider, among  
 176 other criteria, the effect said proposals will have on job creation and retention in the  
 177 commonwealth and how said proposals will foster economic development in the commonwealth;  
 178 and provided, further, that the relative weight of all the criteria used for the selection of the red  
 179 line and orange line vehicle proposals shall be determined by the Massachusetts Bay  
 180 Transportation  
 181 Authority.....\$3,400,000,000

182           6622-2137     For the purpose of implementing rail improvements pursuant to chapter  
 183 161A of the General Laws, including, but not limited to, projects that maintain the overall state  
 184 of good repair and reliability of rail, subway, and bus services; provided, that funds may be  
 185 expended for necessary and routine system preservation activities designed primarily to bring  
 186 existing transportation assets up to an acceptable level of condition; provided, further, that funds  
 187 may be used for transportation planning, design, permitting and engineering, right-of-way

188 acquisition, acquisition of interests in land, vehicle procurement and overhaul, vehicle storage  
189 and maintenance facilities, construction, repair, and improvement of stations, parking structures,  
190 signals, track, and electrical systems associated with all commuter rail, heavy rail, light rail and  
191 bus operations; and provided, further, that funds may be used for the purchase and rehabilitation  
192 of heavy equipment and other maintenance equipment; and provided, further, that projects to  
193 replace or rehabilitate existing assets shall seek to substantially modernize these assets, where  
194 deemed feasible, appropriate, and cost effective..... \$300,000,000

195           6622-2181     For the purpose of implementing South Coast Rail improvements;  
196 provided, that not more than \$100,000,000 shall be used to mitigate the impact of the South  
197 Coast Rail project on communities in accordance with section 38 of chapter 79 of the acts of  
198 2014; provided, that any new or existing rail station receiving South Coast Rail service shall  
199 comply with the Americans with Disabilities Act of 1990, as  
200 amended.....\$825,000,000

201           6622-2182     For the purpose of implementing the green line extension improvements;  
202 provided, that funds may be used for transportation planning, design, permitting and engineering,  
203 acquisition of interests in land, vehicle procurement, construction, construction of stations and  
204 right-of-way acquisition.....\$595,000,000

205           6622-2183     For the purpose of implementing South Station improvements and  
206 expansion, including modernization of the signal system and for modernizing the commuter rail  
207 system and commuter rail system components; provided, that funds may be expended for  
208 projects including but not limited to, planning, design, and acquisition of commuter rail  
209 passenger coaches and locomotives, infrastructure improvements, technology and equipment

210 necessary to support new or modified commuter rail service models, safety features, and  
 211 passenger enhancements; provided further that funds may be expended for capital costs  
 212 associated with infrastructure and equipment to leverage innovative financing and partnership  
 213 approaches; provided, further, that funds may be used for planning and feasibility studies and the  
 214 capital costs of pilot projects to test new service models such as regional rail and urban rail;  
 215 provided, further, that funds may be used for transportation planning, design, permitting and  
 216 engineering, acquisition of rights of way and interests in land, construction and reconstruction of  
 217 stations and other facilities; and provided further, that not less than \$25,000,000 shall be  
 218 expended on the design and engineering of transportation improvements along the South Boston  
 219 waterfront taking into consideration the recommendations of the South Boston Waterfront  
 220 Transportation Plan, as amended from time to  
 221 time.....\$400,000,000

222           6622-2184   For the purpose of implementing rail improvements pursuant to chapter  
 223 161C of the General Laws; provided, that funds may be used for transportation planning, design,  
 224 permitting and engineering, acquisition of interests in land, vehicle procurement, construction,  
 225 construction of stations and right-of-way acquisition for rail projects, including Springfield to  
 226 Worcester service, Boston to Cape Cod service and Pittsfield to New York City  
 227 service.....\$175,000,000

228           SECTION 2F.

229           MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

230           Aeronautics Division

231           6820-2117    For the airport improvement program pursuant to section 39A of chapter  
232 90 of the General Laws, including but not limited to aeronautics safety and modernization  
233 improvements..... \$150,000,000

234           SECTION 2G.

235           MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

236           Office of the Secretary

237           6720-2117    For transportation planning and programming related to all modes,  
238 including but not limited to active transportation, bicycle and pedestrian travel, rail and transit,  
239 and automobiles and associated assets including but not limited to roads, bridges, transit  
240 facilities, shared-use paths, and bicycle and pedestrian and other multi-modal facilities essential  
241 to the provision of transportation services for system users; provided, that funds may be  
242 expended for the maintenance, improvement and expansion of shared use paths and support for  
243 multi-modal networks that may enhance mobility or promote sustainable modes of transportation  
244 across the commonwealth; provided further, that funds may be expended for the acquisition of  
245 information technologies that will support department data and asset management initiatives;  
246 provided further, that funds may be expended for compliance with federal mandates and other  
247 statutory requirements including modal studies to help establish the framework for the  
248 department to adopt policies and programs to enhance delivery of services within all modes;  
249 provided further, that funds may be expended to reduce energy usage, enhance climate change  
250 resilience, adaptation, mitigation, and support reduction of greenhouse gas emissions from  
251 transportation; provided further, that this item may be used to support and leverage municipal,  
252 quasi-public, nonprofit, and private investments; provided further, that \$100,000,000 may be

253 used to implement the so-called bike and pedestrian plan; and provided further, that \$25,000,000  
254 may be used for a program of matching grants to municipalities for landside water ferry terminal  
255 construction and improvement projects that leverage municipal, nonprofit, and private  
256 investments in the delivery of public water transportation services in the greater Boston region  
257 and provide feasible and cost effective reductions to roadway  
258 congestion.....\$475,000,000

259           6720-2127   For the purpose of capital costs associated with preconstruction, planning,  
260 and early action capital work for the so-called Allston Multimodal Project, including multi-  
261 modal project planning and studies, the preparation of plans and specifications, design,  
262 permitting and engineering, climate change adaptation and resilience, regional mobility planning,  
263 acquisition of interests in land, planning and siting of rail and bus stations and right-of-way  
264 acquisition purchases, maintenance facilities, procurement of equipment, development,  
265 mitigation, and implementation of information technology-related equipment, lighting,  
266 landscaping, traffic improvements, bicycle and pedestrian accessibility, and related capital  
267 projects in the Allston neighborhood of  
268 Boston.....\$250,000,000

269           SECTION 2H.

270           EXECUTIVE OFFICE OF TECHNOLOGY SERVICES AND SECURITY

271           Office of the Secretary

272           1790-2019   For costs associated with pilot programs, planning and studies, the  
273 preparation of plans and specifications, design, development, acquisition, and implementation of  
274 information technology-related equipment, hardware, software, devices, cybersecurity,

275 communications systems, safety and accessibility technologies, and data solutions, including, but  
276 not limited to, so-called intelligent transportation infrastructure projects for the Massachusetts  
277 department of  
278 transportation.....\$50,000,000

279 SECTION 3. Subsection (a) of section 2ZZZ of chapter 29 of the General Laws, as  
280 appearing in the 2018 Official Edition, is hereby amended by adding at the end thereof the  
281 following:-

282 Notwithstanding the provisions of section 5C or any other general or special law to the  
283 contrary, no amount, including but not limited to any surplus or consolidated net surplus, shall be  
284 transferred from the fund except pursuant to an appropriation.

285 SECTION 4. Clause (2) of subsection (d) of section 2ZZZ of chapter 29 of the General  
286 Laws, as so appearing in the 2018 Official Edition, is hereby amended by adding the following  
287 sentence:- Notwithstanding the foregoing, the transfer required by this clause shall be increased  
288 each year in an amount sufficient to comply with the last paragraph of section 23 of Chapter  
289 161B. No regional transit authority's assistance from this transfer shall be reduced in order to  
290 comply with section 23 of chapter 161B.

291 SECTION 5. Chapter 89 of the General Laws, as so appearing, is hereby further amended  
292 by inserting after section 7C the following section:-

293 Section 7D. The operator of any vehicle involved in a crash in a travel lane on a public  
294 way resulting only in property damage shall immediately move or cause the vehicle to be moved  
295 to a safe area on the shoulder, emergency lane, or median, or to a place otherwise removed from

296 the roadway when such moving of a vehicle can be done safely and the vehicle is capable of  
297 being operated under its own power, without further damage to property or injury to any person.

298 Whenever any state or municipal law enforcement agency determines that an emergency  
299 is caused by the immobilization of any vehicle in a travel lane on a public way, the agency and  
300 those acting at its direction or request shall have the authority to move the immobilized vehicle.

301 Violation of this section shall be punished by a fine of not more than \$100. A  
302 violation of this section shall not be a surchargeable incident under section 113B of chapter 175  
303 or under a motor vehicle liability policy as defined in section 34A that is issued pursuant to said  
304 chapter 175.

305 SECTION 6. Section 7E of chapter 90 of the General Laws, as so appearing, is hereby  
306 amended by inserting, in line 68, after the word “registrar”, the following words:- , (vii) a  
307 vehicle, or equipment owned or used by the Massachusetts Department of Transportation  
308 established by section 2 of chapter 6C, in connection with maintenance or construction activities  
309 in highway work zones, and only by the authority of a permit issued by the registrar,.

310 SECTION 7. Section 2 of chapter 161A of the General Laws, as appearing in the 2018  
311 Official Edition, is hereby amended by adding the following sentence:- Notwithstanding any  
312 general or special law to the contrary, no person shall acquire any rights by prescription or  
313 adverse possession in any lands or rights in lands held in the name of the authority, and no  
314 person shall accrue any rights by prescription or adverse possession in any such lands or rights in  
315 land for the time period during which such lands or rights in land are or were held in the name of  
316 the authority.



317 SECTION 8. The third paragraph of section 20 of chapter 161A of the General Laws, as  
318 so appearing, is hereby amended by striking out clause (iii) in the third sentence and inserting in  
319 place there of the following clause:- (iii) specify that no proceeds of the commonwealth general  
320 obligation bonds shall be used to fund an employee’s salary; and

321 SECTION 9. The last paragraph of section 23 of chapter 161B of the General Laws, as  
322 appearing in the 2018 official edition, is hereby amended by adding the following sentence:-  
323 Said contract assistance shall be increased each year by the inflation index as defined in section  
324 35T of chapter 10 for the preceding 12 months as certified on March 1.

325 SECTION 10. The second paragraph of section 2 of chapter 634 of the acts of 1971, as  
326 most recently amended by section 38B of chapter 120 of the acts of 2009, is hereby further  
327 amended by adding the following 4 sentences:-

328 Any failure to provide necessary flag protection shall be subject to a fine of not more than  
329 \$3,500 per day payable to the department, which shall become due 30 days after receipt of  
330 notice, unless an adjudicatory hearing is requested prior to the expiration of the 30 days.  
331 Following an adjudicatory hearing, the secretary of transportation shall make a final decision and  
332 shall provide notice to all parties. The final decision shall take effect within 30 days, unless an  
333 appeal is taken under section 14 of chapter 30A prior to the expiration of the 30 days. The  
334 superior court shall have jurisdiction, upon petition of the department, to enforce the provisions  
335 of this section.

336 SECTION 11. The first paragraph of section 7 of chapter 233 of the acts of 2008 is  
337 hereby amended by striking out the figure “2027” and inserting in place thereof the following  
338 figure:- 2039

339 SECTION 12. Section 8 of said chapter 233 is hereby amended by striking out the figure  
340 “2046” and inserting in place thereof the following figure:- 2054.

341 SECTION 13. Section 20 of chapter 79 of the acts of 2014 is hereby amended by striking  
342 out the figure “2049” in both places where it appears and inserting in place thereof the following  
343 figure:- 2054.

344 SECTION 14. Notwithstanding any general or special law to the contrary, as used in this  
345 section, the following words shall have the following meanings:-

346 “Best value”, the highest overall value to the awarding authority, considering quality and  
347 cost.

348 “Department”, the Massachusetts Department of Transportation established by section 2  
349 of chapter 6C of the General Laws.

350 “Job order”, an agreed upon fixed-price order issued by the department or by the MBTA  
351 to a contractor pursuant to a job order contract, for the contractor’s performance of a specific  
352 construction, reconstruction, alteration, remodeling or repair project of a public work consisting  
353 solely of tasks, materials and equipment selected from those specified and priced in that job  
354 order contract.

355 “Job order contract”, a contract for the performance of construction, reconstruction,  
356 alteration, remodeling or repair of a public work, or a subset thereof: (1) that is limited to a  
357 specified term; (2) in which the contract specifications consist of technical descriptions of  
358 various tasks, materials and equipment at stated unit prices but do not specify the specific  
359 projects to be performed by the contractor; (3) which contains a fixed contractor’s adjustment

360 factor applied to the unit prices stated in the specifications; and (4) in accordance with which, the  
361 department and the MBTA may enter into fixed price job orders with the contractor for the  
362 performance of specific projects, consisting solely of combinations of the tasks, materials and  
363 equipment specified in the contract, at the unit prices specified therein multiplied by the  
364 contractor's adjustment factor.

365 "Maintenance", includes routine operation, routine maintenance, routine repair,  
366 rehabilitation, capital maintenance, maintenance replacement and any other categories of  
367 maintenance that may be designated by the department.

368 "MBTA", the Massachusetts Bay Transportation Authority established by section 2 of  
369 chapter 161A of the General Laws.

370 (a) Notwithstanding section 44A of chapter 149 of the General Laws, to the extent  
371 applicable, and section 39M of chapter 30 of the General Laws or any other general or special  
372 law to the contrary, the department and the MBTA may establish programs for the use of job  
373 order contracts.

374 As part of the programs, the department and the MBTA may procure job order contracts  
375 for services related to the creation and use of job order contracts including, without limitation the  
376 creation of task descriptions, specifications and unit prices for use in job order contracts, and  
377 training and other services related to such contracts.

378 Job orders shall be estimated to cost not more than \$500,000 each. The job order contract  
379 shall be procured through a best value selection process except that: (i) the amount of the bid  
380 deposit shall be \$5,000; (ii) contractors who are awarded job orders under any job order contract  
381 shall be eligible for the category of work specified in the contract; (iii) the amounts of surety

382 bonds required by the contract may be satisfied with respect to each particular job order before  
383 the commencement of any work under that job order; and (iv) multiple job order contracts may  
384 be awarded under a single procurement.

385 (b) (1) The department and the MBTA may procure job order contracts for projects that:  
386 (i) improve access to places of public accommodation listed in section 92A of chapter 272 of the  
387 General Laws; or (ii) remove barriers and create or improve accessible features for both physical  
388 and programmatic access necessary for compliance with the law, including for compliance with  
389 title II of the Americans with Disabilities Act of 1990 and the laws of the commonwealth.

390 (2) These contracts shall be limited to job orders estimated to cost not more than  
391 \$1,000,000 each and shall be procured through the procedures specified in section 39M of  
392 chapter 30 of the General Laws except that: (i) the amount of the bid deposit shall be \$5,000; (ii)  
393 contractors who are awarded job orders under any job order contract shall be certified by the  
394 division for the category of work specified in the contract; and (iii) the amounts of surety bonds  
395 required by the contract may be satisfied with respect to each particular job order before the  
396 commencement of any work under that job order. The department and the MBTA shall award a  
397 job order contract to the eligible and responsible bidder who offers the lowest mark-up over the  
398 base unit prices specified in the contract specifications.

399 SECTION 15. For the purposes of this section, “private transportation provider” shall  
400 mean a private entity operating regular, continuing shared-ride surface transportation services  
401 that are open to the general public or open to a segment of the general public defined by age,  
402 disability, or low income.

403 Notwithstanding the provisions of any general or special law to the contrary, the Cape  
404 Cod Regional Transit Authority and the Southeastern Regional Transit Authority are hereby  
405 authorized in fiscal year 2019 and thereafter to enter into contracts with private transportation  
406 providers to identify and pursue projects to increase federal transit urbanized area formula  
407 program funding that is in addition to the current funding from direct transit authority  
408 transportation reporting to the Federal Transit Administration National Transit Database.  
409 Incentive payments provided to private transportation providers for their reporting efforts and for  
410 the enhancement of their transportation services shall be a net neutral expense to the  
411 Commonwealth and shall be paid exclusively from the exchange of the additional federal  
412 urbanized area formula program funding generated by the private transportation provider  
413 reporting to the Federal Transit Administration National Transit Database, with State  
414 appropriated transportation funding.

415 There shall be established on the books of the Commonwealth under the MassDOT  
416 secretariat, an expendable trust fund known as the Federal Transit Funding Maximization Fund  
417 for the purposes of providing funding to the Cape Cod Regional Transit Authority and the  
418 Southeastern Regional Transit Authority for the compensation of private transportation providers  
419 for reporting transportation data to the Federal Transit Administration National Transit Database,  
420 which results in federal transit urbanized area formula program funding that is in addition to  
421 formula funding from direct transit authority transportation reporting to the National Transit  
422 Database. The transit authority, identified as the designated recipient by the Federal Transit  
423 Administration for the urbanized area, is directly allocated the entire federal urbanized area  
424 formula funding, of which, the additional federal urbanized area formula funding resulting from  
425 the private transportation provider reporting shall be calculated by the transit authority based on

426 the prior federal fiscal year formula funding amounts published by the Federal Transit  
427 Administration. The Cape Cod Regional Transit Authority and the Southeastern Regional Transit  
428 Authority, in consultation with MassDOT, shall take into consideration direct and indirect state,  
429 federal and other in-kind transit authority support provided to the private transportation provider  
430 when calculating the percentage and corresponding dollar value for each private transportation  
431 provider payment (“earned payment”) under this section, but in no case shall it exceed 25% of  
432 the additional federal urbanized area formula funding resulting from the private transportation  
433 provider reporting to the National Transit Database. Up to 25% of the additional federal transit  
434 urbanized area formula funds generated from the private transportation providers contractual  
435 participation in the Transit Funding Maximization Program shall be transferred to the Governor,  
436 who shall subsequently reallocate all transferred urbanized area formula funds to transit  
437 authorities in large or small urbanized areas within the State for eligible purposes under the  
438 urbanized area program. The reallocation of federal transit urbanized area formula funds by the  
439 Governor shall include a transfer to the Massachusetts Bay Transportation Authority in an  
440 amount equal to the calculated private transportation provider earned payment, with a  
441 corresponding reduction to the Commonwealth Transportation Fund, item 1595-6369 through 9C  
442 cuts or other means. Funds reallocated by the Governor to transit authorities in large or small  
443 urbanized areas within the State shall be used by the transit authority to establish grants through  
444 the Federal Transit Administration system, incur expenses and seek reimbursement in  
445 compliance with all Federal Transit Administration regulations and guidelines. The Governor,  
446 through the secretary of administration and finance, shall provide the comptroller with a certified  
447 accounting of reallocated urbanized area formula funds, State transportation funding reductions,  
448 and earned private transportation provider payments. The comptroller shall transfer to the

449 Federal Transit Funding Maximization Fund without further appropriation, sufficient funds to  
450 provide for the full earned payment compensation of private transportation providers, after  
451 verifying an equal reduction to the Commonwealth Transportation Fund, item 1595-6369 has  
452 occurred. Within thirty days of deposit, MassDOT shall transfer funds, without further  
453 appropriation, from the Federal Transit Funding Maximization Fund to the participating transit  
454 authority for the purpose of processing private transportation provider earned payments in  
455 compliance with this section. Such incentive payments to participating private transportation  
456 providers shall be known as "provider participation payments" and shall be used by the private  
457 transportation provider to offset the cost of reporting transportation data to the Federal Transit  
458 Administration National Transit Database and to enhance transportation services. In order to be  
459 eligible for provider participation payments, the private transportation provider must continue  
460 reporting transportation data, which is accepted and approved by the Federal Transit  
461 Administration National Transit Database.

462 The Cape Cod Regional Transit Authority and the Southeastern Regional Transit  
463 Authority shall report, not later than March 31st of each year for the prior federal fiscal year  
464 ending September 30th, to the secretary of administration and finance, the chairs of the house  
465 and senate committees on ways and means, and the house and senate chairs of the joint  
466 committee on transportation on the results and operations of the Federal Transit Funding  
467 Maximization Program authorized by this section. Such information shall detail the following:  
468 total federal transit urbanized area formula program funding resulting from private transportation  
469 provider reporting; additional/new fiscal year federal transit urbanized area formula program  
470 funding resulting from private transportation provider reporting; total federal transit urbanized  
471 area formula program funding transferred by the transit authority to the Governor and subsequent

472 transfers by the Governor to transit authorities in large or small urbanized areas within the State;  
473 funds transferred by the comptroller.

474 SECTION 16 Notwithstanding the first sentence of subsection (a) of section 39M of  
475 chapter 30 of the General Laws, a transportation or public works project subject to award under  
476 said section 39M of said chapter 30 by a department, agency or authority of the commonwealth  
477 that is expected to interfere with the movement of traffic or the traveling public may, in the  
478 discretion of the awarding authority, be procured through a bidding method that awards the  
479 project to the responsible and eligible bidder with the lowest bid value after taking into account  
480 the amount of time that the bidder has identified in the bid for completion of the project,  
481 hereinafter referred to as cost-plus-time bidding; provided, however, that such awarding  
482 authority may reject any bid if it is in the public interest to do so. The Secretary of  
483 Transportation shall promulgate rules and regulations necessary to implement this section.

484 The provisions of the General Laws generally applicable to public works projects  
485 including, but not limited to, sections 26, 27, 27A, 27B, 27C, 27D, 27F and 34A of chapter 149  
486 of the General Laws and sections 39F, 39G, 39H, 39J, 39K, 39M except the first sentence of  
487 subsection (a), 39N, 39O, 39P and 39R of chapter 30 shall apply to all public works projects  
488 using the cost-plus-time bidding procurement method provided in this section.

489 SECTION 17. To meet any or all expenditures necessary in carrying out section 2, the  
490 state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in  
491 an amount to be specified by the governor from time to time but not exceeding, in the aggregate,  
492 \$1,120,000,000. All bonds issued by the commonwealth pursuant to this section shall be  
493 designated on their face, Commonwealth Transportation Improvement Act of 2019, and shall be



494 issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to  
495 the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution.  
496 All such bonds shall be payable not later than June 30, 2059. All interest and payments on  
497 account of principal on these obligations shall be payable from the General Fund or the  
498 Commonwealth Transportation Fund.

499 SECTION 18. To meet any or all expenditures necessary in carrying out sections 2A to  
500 2B inclusive, the state treasurer shall, upon request of the governor, issue and sell bonds of the  
501 commonwealth in an amount to be specified by the governor from time to time but not  
502 exceeding, in the aggregate, \$3,540,000,000. All bonds issued by the commonwealth pursuant to  
503 this section shall be designated on their face, Commonwealth Transportation Improvement Act  
504 of 2019, and shall be issued for a maximum term of years, not exceeding 30 years, as the  
505 governor may recommend to the general court pursuant to section 3 of Article LXII of the  
506 Amendments to the Constitution. All such bonds shall be payable not later than June 30, 2059.  
507 All interest and payments on account of principal on these obligations shall be payable from the  
508 General Fund or the Commonwealth Transportation Fund.

509 SECTION 19. Notwithstanding any general or special law to the contrary and to meet a  
510 portion of the expenditures necessary in carrying out section 2C, the state treasurer shall, upon  
511 request of the governor, issue and sell federal grant anticipation notes of the commonwealth in an  
512 amount to be specified by the governor from time to time but not exceeding, in the aggregate,  
513 \$1,250,000,000. Notes issued under this section shall be in addition to those notes previously  
514 issued under section 9 of chapter 11 of the acts of 1997, section 7 of chapter 233 of the acts of  
515 2008, and under section 53A of chapter 29 of the General Laws to refund, in part, such  
516 previously issued notes. Notes issued under this section and the interest thereon shall be special

517 obligations of the commonwealth secured by the Federal Highway Grant Anticipation Note Trust  
518 Fund established in section 10 of said chapter 11 of the acts of 1997. Sections 10, 10A and 10B  
519 of said chapter 11 shall apply to the notes issued under this section in the same manner and with  
520 the same effect as set forth in said sections 10, 10A and 10B with respect to the notes previously  
521 issued under section 9 of said chapter 11 and section 53A of chapter 29 of the General Laws,  
522 except as otherwise provided in a trust agreement pertaining to the notes authorized under this  
523 section; provided, however, that any pledge of federal highway construction funds and other  
524 funds to secure the notes issued under this section may be subordinate to such prior pledged  
525 funds. The notes shall not be included in the computation of outstanding bonds for purposes of  
526 the limit imposed by the second paragraph of section 60A of chapter 29 of the General Laws, nor  
527 shall debt service with respect to such bonds be included in the computation of the limit imposed  
528 by section 60B of said chapter 29.

529           The notes authorized under this section shall be designated on their face, Next Generation  
530 Bridge Improvement Act of 2019, and shall be issued and may be renewed for such maximum  
531 terms of years, not exceeding 20 years, as the governor may recommend to the general court in  
532 accordance with Section 3 of Article LXII of the Amendments to the Constitution of the  
533 commonwealth; provided, however, that the final maturity of such notes, whether original or  
534 renewal, shall be not later than June 30, 2049.

535           A trust agreement entered into with respect to notes authorized under this section shall be  
536 considered to be a trust agreement under section 10B of chapter 11 of the acts of 1997. The  
537 principal or purchase price of, redemption premium, if any, and interest on notes issued  
538 hereunder, fees and expenses related to those notes, deposits to reserves, if any, under such trust  
539 agreement or such credit enhancement agreement and any reimbursement amounts shall be

540 considered to be trust agreement obligations for purposes of sections 10A and 10B of said  
541 chapter 11.

542 Notwithstanding any general or special law to the contrary, the commonwealth shall  
543 covenant with the purchasers and all subsequent owners and transferees of any notes issued  
544 under this section that while any note shall remain outstanding and any trust agreement  
545 obligation remains unpaid, federal highway construction trust funds shall not be diverted from  
546 the purposes identified in said section 10B of said chapter 11, except as provided in the trust  
547 agreement or credit enhancement agreement relating thereto, nor shall the trusts with which they  
548 are impressed be broken, and the pledge and dedication in trust of these funds shall continue  
549 unimpaired and unabrogated.

550 Notwithstanding any general or special law to the contrary, the trust and the Federal  
551 Highway Grant Anticipation Note Trust Fund, each established in accordance with section 10 of  
552 said chapter 11, shall terminate on the date of the final payment or defeasance in full by the  
553 commonwealth of all trust agreement obligations under said section 10 and this section.

554 SECTION 20. To meet the expenditures necessary in carrying out section 2D, the state  
555 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an  
556 amount to be specified by the governor from time to time but not exceeding, in the aggregate,  
557 \$790,000,000. All bonds issued by the commonwealth pursuant to this section shall be  
558 designated on their face, Commonwealth Transportation Improvement Act of 2019, and shall be  
559 issued for a maximum term of years, not exceeding 20 years, as the governor may recommend to  
560 the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution.  
561 All such bonds shall be payable not later than June 30, 2049. All interest and payments on

562 account of principal on these obligations shall be payable from the General Fund or the  
563 Commonwealth Transportation Fund.

564 SECTION 21. To meet the expenditures necessary in carrying out section 2E, the state  
565 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an  
566 amount to be specified by the governor from time to time but not exceeding, in the aggregate,  
567 \$5,695,000,000. All bonds issued by the commonwealth under this section shall be designated on  
568 their face, Commonwealth Transportation Improvement Act of 2019, and shall be issued for a  
569 maximum term of years, not exceeding 30 years, as the governor may recommend to the general  
570 court under section 3 of Article LXII of the Amendments to the Constitution. All such bonds  
571 shall be payable not later than June 30, 2059. Bonds and interest thereon issued under this  
572 section shall be general obligations of the commonwealth; provided, however, that any bonds  
573 issued by the state treasurer under this section shall, upon the request of the governor, be issued  
574 as special obligation bonds pursuant to section 20 of chapter 29 of the General Laws; provided  
575 further, that in deciding whether to request the issuance of particular bonds as special  
576 obligations, the governor shall take into account: (1) generally prevailing financial market  
577 conditions; (2) the impact of each approach on the overall capital financing plans and needs of  
578 the commonwealth; (3) any ratings assigned to outstanding bonds of the commonwealth and any  
579 ratings expected to be assigned by any nationally-recognized credit rating agency to the bonds  
580 proposed to be issued; and (4) any applicable provisions of a trust agreement or credit  
581 enhancement agreement entered into pursuant to said section 20 of said chapter 29. All special  
582 obligation revenue bonds issued pursuant to this section shall be designated on their face,  
583 Commonwealth Rail Enhancement Act of 2019, and shall be issued for a maximum term of  
584 years, not exceeding 30 years, as the governor may recommend to the general court pursuant to

585 section 3 of Article LXII of the Amendments to the Constitution; provided, however, that all  
586 such bonds shall be payable not later than June 30, 2059. All interest and payments on account of  
587 these obligations shall be payable from the Commonwealth Transportation Fund and shall be  
588 payable solely in accordance with said section 20 of said chapter 29, and such bonds shall not be  
589 included in the computation of outstanding bonds for purposes of the limit imposed by the  
590 second paragraph of section 60A of chapter 29 of the General Laws, nor shall debt service with  
591 respect to such bonds be included in the computation of the limit imposed by section 60B of said  
592 chapter 29.

593 SECTION 22. To meet the expenditures necessary in carrying out section 2F, the state  
594 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an  
595 amount to be specified by the governor from time to time but not exceeding, in the aggregate,  
596 \$150,000,000. All bonds issued by the commonwealth pursuant to this section shall be  
597 designated on their face, Commonwealth Transportation Improvement Act of 2019, and shall be  
598 issued for a maximum term of years, not exceeding 20 years, as the governor may recommend to  
599 the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution.  
600 All such bonds shall be payable not later than June 30, 2049. All interest and payments on  
601 account of principal on these obligations shall be payable from the General Fund or the  
602 Commonwealth Transportation Fund.

603 SECTION 23. To meet the expenditures necessary in carrying out section 2G, the state  
604 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an  
605 amount to be specified by the governor from time to time but not exceeding, in the aggregate,  
606 \$725,000,000. All bonds issued by the commonwealth pursuant to this section shall be  
607 designated on their face, Commonwealth Transportation Improvement Act of 2019, and shall be

608 issued for a maximum term of years, not exceeding 10 years, as the governor may recommend to  
609 the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution.  
610 All such bonds shall be payable not later than June 30, 2039. All interest and payments on  
611 account of principal on these obligations shall be payable from the General Fund or the  
612 Commonwealth Transportation Fund.

613 SECTION 24. To meet the expenditures necessary in carrying out section 2H, the state  
614 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an  
615 amount to be specified by the governor from time to time but not exceeding, in the aggregate,  
616 \$50,000,000. All bonds issued by the commonwealth pursuant to this section shall be designated  
617 on their face, Commonwealth Transportation Improvement Act of 2019, and shall be issued for a  
618 maximum term of years, not exceeding 5 years, as the governor may recommend to the general  
619 court pursuant to section 3 of Article LXII of the Amendments to the Constitution. All such  
620 bonds shall be payable not later than June 30, 2034. All interest and payments on account of  
621 principal on these obligations shall be payable from the General Fund or the Commonwealth  
622 Transportation Fund. Bonds and interest thereon issued pursuant to this section shall be general  
623 obligations of the commonwealth.

624 SECTION 25 Notwithstanding any general or special law to the contrary, bonds and  
625 interest thereon issued under sections 17, 18, 20, 22, and 23 of this act shall be general  
626 obligations of the commonwealth; provided, however, that any bonds issued by the state  
627 treasurer under said sections 17, 18, 20, 22, and 23 shall, upon the request of the governor, be  
628 issued as special obligation bonds pursuant to section 20 of chapter 29 of the General Laws;  
629 provided further, that in deciding whether to request the issuance of particular bonds as special  
630 obligations, the governor shall take into account: (1) generally prevailing financial market

631 conditions; (2) the impact of each approach on the overall capital financing plans and needs of  
632 the commonwealth; (3) any ratings assigned to outstanding bonds of the commonwealth and any  
633 ratings expected to be assigned by any nationally-recognized credit rating agency to the bonds  
634 proposed to be issued; and (4) any applicable provisions of a trust agreement or credit  
635 enhancement agreement entered into pursuant to said section 20 of said chapter 29. All interest  
636 and payments on account of obligations issued under this section as special obligation bonds  
637 pursuant to said section 20 of said chapter 29 shall be payable from the Commonwealth  
638 Transportation Fund solely in accordance with said section 20 of said chapter 29, and such  
639 bonds shall not be included in the computation of outstanding bonds for purposes of the limit  
640 imposed by the second paragraph of section 60A of chapter 29 of the General Laws, nor shall  
641 debt service with respect to such bonds be included in the computation of the limit imposed by  
642 section 60B of said chapter 29.

643 SECTION 26. Notwithstanding any provision of section 19 to the contrary, the state  
644 treasurer shall, upon the request of the governor, issue any portion of the amount authorized to be  
645 issued as federal grant anticipation notes under said section 16 as special obligation bonds in  
646 addition to the amount authorized in said section 21 and otherwise pursuant to said section 21;  
647 provided, that no bonds shall be issued under this section unless the governor determines that  
648 issuing bonds or notes under this section instead of as authorized under said section 19 is  
649 necessary or is in the best financial interests of the commonwealth based on their consideration  
650 of: (i) the commonwealth's authority under federal law to issue federal grant anticipation notes  
651 pursuant to said section 101; (ii) generally prevailing financial market conditions; (iii) the impact  
652 of each financing approach on the overall capital financing plans and needs of the  
653 commonwealth; (iv) any ratings assigned to outstanding bonds of the commonwealth and any

654 ratings expected to be assigned by any nationally-recognized credit rating agency to the bonds or  
655 notes proposed to be issued; and (v) any applicable provisions of chapter 29 of the General  
656 Laws.

657 SECTION 27. Notwithstanding any general or special law to the contrary, capital  
658 appropriations made pursuant to section 2 and sections 2A to 2H, inclusive, shall be available for  
659 expenditure in the 10 fiscal years following June 30 of the calendar year in which the  
660 appropriation is made and any portion of such appropriation representing encumbrances  
661 outstanding on the records of the comptroller's office at the close of the tenth fiscal year may be  
662 applied to the payment thereof any time thereafter. The unencumbered balance shall revert to the  
663 commonwealth at the close of the tenth fiscal year.

664 SECTION 28. Notwithstanding any general or special law to the contrary, in carrying  
665 out this act, the Massachusetts Department of Transportation may enter into contracts,  
666 agreements or transactions that may be appropriate with other federal, state, local or regional  
667 public agencies or authorities. The contracts, agreements or transactions may relate to such  
668 matters as the department shall determine including, without limitation, the research, design,  
669 layout, construction, reconstruction or management of construction of all or a portion of these  
670 projects. In relation to any such contracts, agreements or transactions, the department may  
671 advance monies to such agencies or authorities, without prior expenditure by the agencies or  
672 authorities, and the agencies and authorities may accept monies necessary to carry out these  
673 agreements; provided, however, the department shall certify to the comptroller the amounts so  
674 advanced and these agreements shall contain provisions satisfactory to the department for the  
675 accounting of monies expended by any other agency or authority. All monies not expended



676 under these contracts, agreements or transactions shall be credited to the account of the  
677 department from which they were advanced.

678 SECTION 29. (a) Notwithstanding any general or special law to the contrary, the  
679 Massachusetts Department of Transportation shall expend the sums authorized in sections 2  
680 through 2C, inclusive, and section 2G, for the following purposes: projects for the laying out,  
681 construction, reconstruction, resurfacing, relocation or necessary or beneficial improvement of  
682 highways, bridges, bicycle paths or facilities, on-street and off-street bicycle projects, sidewalks,  
683 telecommunications, parking facilities, auto-restricted zones, scenic easements, grade crossing  
684 eliminations and alterations of other crossings, traffic safety devices on state highways and on  
685 roads constructed pursuant to clause (b) of the second paragraph of section 4 of chapter 6C of the  
686 General Laws, highway or mass transportation studies including, but not limited to, traffic,  
687 environmental or parking studies, the establishment of school zones pursuant to section 2 of  
688 chapter 85 of the General Laws, improvements on routes not designated as state highways  
689 without assumption of maintenance responsibilities, projects to alleviate contamination of public  
690 and private water supplies caused by the department's storage and use of snow removal  
691 chemicals which are necessary for the purposes of highway safety, for the relocation of persons  
692 or businesses or for the replacement of dwellings or structures including, but not limited to,  
693 providing last resort housing under federal law and any functional replacement of structures in  
694 public ownership that may be necessary for the foregoing purposes and for relocation benefits to  
695 the extent necessary to satisfy the requirements of the Uniform Relocation Assistance and Real  
696 Property Acquisition Policies Act of 1970, 42 U.S.C. 4601 et seq., Public Law 97-646 and to sell  
697 any structure the title to which has been acquired for highway purposes. Environmental studies  
698 conducted pursuant to this subsection may include an assessment of both existing and proposed

699 highway rest stop facilities to determine the cost-effectiveness of sanitary facilities that use zero-  
700 pollution discharge technologies, including recycling greywater systems. When dwellings or  
701 other structures are removed in furtherance of any of these projects, the excavations or cellar  
702 holes remaining shall be filled in and brought to grade within 1 month after the removal. In  
703 planning projects funded by section 2A, consideration shall be made, to the extent feasible, to  
704 accommodate and incorporate provisions to facilitate the use of bicycles and walking as a means  
705 of transportation. Nothing in this section shall be construed to give rise to enforceable legal  
706 rights in any party or a cause of action or an enforceable entitlement as to the projects described  
707 in this section.

708 (b) Funds authorized in said sections 2A and 2B shall, except as otherwise specifically  
709 provided in this act, be subject to the first paragraph of section 6 and sections 7 and 9 of chapter  
710 718 of the acts of 1956, if applicable, and, notwithstanding any general or special law to the  
711 contrary, may be used for the purposes stated in this act in conjunction with funds of cities,  
712 towns and political subdivisions.

713 (c) The Massachusetts Department of Transportation may: (i) expend funds made  
714 available by this act to acquire from a person by lease, purchase, eminent domain pursuant to  
715 chapter 79 of the General Laws or otherwise, land or rights in land for parking facilities adjacent  
716 to a public way to be operated by the department or under contract with an individual; (ii)  
717 expend funds made available by this act for the acquisition of van-type vehicles used for multi-  
718 passenger, commuter-driven carpools and high-occupancy vehicles including, but not limited to,  
719 water shuttles and water taxis; and (iii) pursuant to all applicable state and federal laws and  
720 regulations, exercise all powers and do all things necessary and convenient to carry out this act.

721 (d) The Massachusetts Department of Transportation may enter into contracts or  
722 agreements with cities to mitigate the effects of projects undertaken pursuant to this act and to  
723 undertake additional transportation measures within the city and may enter into contracts,  
724 agreements or transactions with other federal, state, local or regional public agencies, authorities,  
725 nonprofit organizations or political subdivisions that may be necessary to implement these  
726 contracts or agreements with cities. Cities and other state, local or regional public agencies,  
727 authorities, nonprofit organizations or political subdivisions may enter into these contracts,  
728 agreements or transactions with the department. In relation to these agreements, the department  
729 may advance to these agencies, nonprofit organizations, political subdivisions or authorities,  
730 without prior expenditure by the agencies, nonprofit organizations, political subdivisions or  
731 authorities, monies necessary to carry out these agreements; provided however, that the  
732 department shall certify to the comptroller the amount so advanced and all monies not expended  
733 under these agreements shall be credited to the account of the department from which they were  
734 advanced. The department shall report to the house and senate committees on ways and means  
735 on any transfers completed pursuant to this subsection.

736 SECTION 30. Notwithstanding any general or special law to the contrary, the  
737 Massachusetts Department of Transportation shall take all necessary actions to secure federal  
738 highway or transportation assistance that is or may become available to the department  
739 including, but not limited to, actions authorized pursuant to or in compliance with any of the  
740 following: Title 23 of the United States Code; the Surface Transportation and Uniform  
741 Relocation Act of 1987, Public Law 100-17; the Intermodal Surface Transportation Efficiency  
742 Act of 1991, Public Law 102-240; the Transportation Equity Act for the 21st Century, Public  
743 Law 105-178; the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy

744 for Users, Public Law 109-59; Implementing Recommendations of the 9/11 Commission Act of  
745 2007, Public Law 110-53; the Moving Ahead for Progress in the 21st Century Act of 2012,  
746 Public Law 112–141; Fixing America’s Surface Transportation Act of 2015, Public Law 114-94;  
747 and any successor or reauthorizations of those acts, and such actions, including filing  
748 applications for federal assistance, supervising the expenditure of funds under federal grants or  
749 other assistance agreements, and making any determinations and certifications necessary or  
750 appropriate to the foregoing. If a federal law, administrative regulation or practice requires an  
751 action relating to federal assistance to be taken by a department, agency or other instrumentality  
752 of the commonwealth other than the Massachusetts Department of Transportation, the other  
753 department, agency or instrumentality shall take such action.

754 SECTION 31. Notwithstanding any general or special law to the contrary, the  
755 unexpended balances of all capital accounts authorized in chapter 86 of the acts of 2008, chapter  
756 233 of the acts of 2008, chapter 303 of the acts of 2008, chapter 10 of the acts of 2011, chapter  
757 133 of the acts of 2012, chapter 242 of the acts of 2012, chapter 79 of the acts of 2014, chapter  
758 209 of the acts of 2018, and chapter 16 of the acts of 2019, which otherwise would revert on or  
759 before June 30, 2020, but which are necessary to fund obligations during fiscal years 2020  
760 through 2024, inclusive, are hereby reauthorized through June 30, 2024.

761 SECTION 32. Notwithstanding any general or special law or regulation to the contrary,  
762 the Massachusetts Department of Transportation is hereby authorized to expend the  
763 unencumbered amounts from items contained in section 2D of chapter 86 of the acts of 2008,  
764 sections 2A to 2E, inclusive, of chapter 303 of the acts of 2008, section 2A of chapter 79 of the  
765 acts of 2014, section 2 of chapter 195 of the acts of 2014, sections 2 and 2A of chapter 237 of the  
766 acts of 2014, and sections 2E and 2F of chapter 286 of the acts of 2014 for the purposes

767 authorized in sections 2A, 2B and 2D through 2G, inclusive, of this act; provided, that the  
768 aggregate amount expended under this section for purposes under section 2A shall not exceed  
769 \$1,500,000,000; provided further, that the aggregate amount expended under this section for  
770 purposes under section 2B shall not exceed \$200,000,000; provided further, that the aggregate  
771 amount expended under this section for purposes under sections 2D and 2F shall not exceed  
772 \$417,000,000; provided further, that the aggregate amount expended under this section for  
773 purposes under section 2E shall not exceed \$1,200,000,000; provided further, that the aggregate  
774 amount expended under this section for purposes under section 2G shall not exceed 475,000,000.