

**HOUSE . . . . . No. 3315**

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**The Commonwealth of Massachusetts**

**In the Year Two Thousand Nine**

An Act Relative to the rights of commuter rail patrons..

*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. As used in this section, the following word shall have the following  
2 meaning:

3 “Temperature regulation”- the ability of a commuter train car to provide reasonable air  
4 condition or heat such that commuter train passengers travel in a comfortable controlled  
5 temperature environment.

6 Section 5 of Chapter 161A of the General Laws, as appearing in the 2005 official edition,  
7 is hereby amended by inserting after section 5 (r) the following section:

8 SECTION 5 (s) To ensure fair treatment of commuter rail passenger, the authority shall  
9 not have the power to collect fares on commuter rail trains that depart 20 or more minutes after  
10 their originally scheduled departure time, or from the passenger of any car of a commuter rail  
11 train that fails to provide reasonable temperature regulation.

12 Passengers of a commuter rail train with a “monthly pass” will be eligible to apply for  
13 and receive a cash or check reimbursement of the full cost of a one way transit ticket as

14 designated by the authority if the commuter rail train departs 20 or more minutes after its  
15 originally scheduled departure time, or is sitting in any car of a commuter rail train that fails to  
16 provide reasonable temperature regulation.

17           To ensure transit passengers are informed of such changes in commuter regulations, the  
18 authority hereby will be required to post in each commuter rail car the conditions under which  
19 ticket reimbursement will occur.