

SENATE No. 1959

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act Relative To Fairness and Equity In Regional Transportation Planning..

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. The General Laws, as appearing in the 2006 official edition, are hereby
2 amended by adding after chapter 6A, section 103, the following new section:

3 Section 104. Metropolitan planning organizations

4 1. Whereas: The rapid growth in recent decades of many geographic regions of the state
5 has caused distinct areas with dense residential or workforce populations and substantial
6 economic activity to be subject to the jurisdiction of more than one metropolitan planning
7 organization;

8 Whereas: Various transportation projects may cross from the jurisdiction of one
9 metropolitan planning organization into the jurisdiction of another metropolitan planning
10 organization;

11 Whereas: Distinct areas of dense residential or workforce populations and substantial
12 economic activity may be contained within the jurisdiction of a single metropolitan planning
13 organization but have specific, substantial and locally based needs for public infrastructure

14 investment to maintain economic vitality which require planning efforts focused on the distinct
15 area;

16 Therefore: To more fully accomplish a comprehensive and coordinated intermodal
17 transportation plan for the Commonwealth, the secretary of housing and economic development
18 and the secretary of transportation and construction shall develop coordination mechanisms for
19 both sub-regional and joint transportation planning by metropolitan planning organizations in
20 order to better maintain, expand and improve transportation within the state.

21 2. The secretary of housing and economic development at the request of a municipality
22 or, at his own initiative, shall, in consultation with the secretary of transportation and
23 construction, identify distinct geographic areas of economic activity wherein transportation
24 planning for a sub-region of one or more metropolitan planning organizations would provide
25 more complete and accurate information for the development of a comprehensive and
26 coordinated transportation plan for the commonwealth. Identification of cities and towns to be
27 included in a sub-region shall include, but not be limited to, consideration of:

28 Proximity to the boundary of the jurisdiction of one or more metropolitan planning
29 organizations;

30 The existence of major roadways and limited access highways;

31 Regional commuting patterns;

32 The region's economic and industrial base and leading industry clusters, cultural assets
33 and demographic characteristics, including its social and economic cohesiveness;

34 Permitting activity and plans for land use changes that require investment in public
35 transportation infrastructure;

36 Information from the region's local officials and leading employers that assesses the state
37 of the region's competitiveness and key obstacles to economic growth;

38 A request by a municipality to join with others to form a sub-region;

39 Evidence of unmet need for transportation planning and investment.

40 3. Where the municipalities identified by the secretary of housing and economic
41 development are all contained within the jurisdiction of a single metropolitan planning
42 organization, that metropolitan planning organization shall designate a sub-region to plan and
43 program transportation projects in the identified communities. Where the municipalities
44 identified by the secretary of housing and economic development are contained within the
45 jurisdiction of more than one metropolitan planning organization, those metropolitan planning
46 organizations whose districts include the municipalities identified by the secretary of housing
47 and economic development for inclusion in a sub-region shall enter into an agreement to act
48 jointly to plan and program transportation projects in the identified communities. The
49 transportation improvement plan developed by any sub-region shall be provided to the office of
50 transportation planning within the executive office of transportation and construction for
51 inclusion in the state transportation improvement plan.

52 4. Planning and programming for a sub-region shall be conducted by a planning
53 committee consisting of the secretary of the executive office of transportation and construction;
54 the secretary of housing and economic development; the commissioner of the Massachusetts
55 highway department; the director of the regional planning agencies with jurisdiction over the

56 municipalities in the sub-region; the regional transit authorities serving municipalities in the sub-
57 region; freight rail companies operating in the sub-region; a representative of each municipality
58 in the sub-region; a representative of a business association representing major employers in the
59 sub- region. The secretary of the executive office of transportation and construction and the
60 secretary of housing and economic development shall jointly chair the committee.

61 5. Funds to be programmed by the planning committee shall be a portion of the allocation
62 of federal funds available to the metropolitan planning organizations to which the municipalities
63 of the sub-region belong. The secretary of transportation and construction shall develop a
64 formula for determining the appropriate allocation. In determining the formula, the secretary of
65 transportation and construction shall include consideration of the following: economic activity in
66 the sub-region, including payroll and data relating to workforce size; data from the most recent
67 census regarding commuting patterns; planned land development including development
68 permissible under any municipality master plans and zoning regulations; existing transportation
69 infrastructure.

70 6. The metropolitan planning organizations to which the municipalities of the sub-region
71 belong shall contract with the regional planning agencies which serve the municipalities in the
72 sub-region to accomplish the transportation planning and programming duties and administrative
73 functions of the sub-region.