

# SENATE . . . . . No. 1793

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## The Commonwealth of Massachusetts

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PRESENTED BY:

***Karen E. Spilka***

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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 relative to fairness and equity in regional transportation planning.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Karen E. Spilka</i>	
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>Richard J. Ross</i>	<i>Norfolk, Bristol and Middlesex</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>
<i>Benjamin Swan</i>	<i>11th Hampden</i>

# SENATE . . . . . No. 1793

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By Ms. Spilka, a petition (accompanied by bill, Senate, No. 1793) of Karen E. Spilka, Carolyn C. Dykema, Richard J. Ross, Chris Walsh and other members of the General Court for legislation relative To fairness and equity In regional transportation planning. Transportation.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 1959 OF 2009-2010.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand Eleven  
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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. Chapter 6A of the General Laws, as appearing in the 2008  
2   official edition, is hereby amended by adding at the end thereof the following new section:

3                   Section 105. Metropolitan planning organizations

4                   1. Whereas: The rapid growth in recent decades of many geographic regions of  
5   the state 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 shall develop coordination mechanisms for both sub-regional  
19 and joint transportation planning by metropolitan planning organizations in order to better  
20 maintain, expand and improve transportation within the state.

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

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

- b. The existence of major roadways and limited access highways;
- c. Regional commuting patterns;
- d. The region's economic and industrial base and leading industry clusters, cultural assets and demographic characteristics, including its social and economic cohesiveness;
- e. Permitting activity and plans for land use changes that require investment in public transportation infrastructure;
- f. Information from the region's local officials and leading employers that assesses the state of the region's competitiveness and key obstacles to economic growth;
- g. A request by a municipality to join with others to form a sub-region;
- h. Evidence of unmet need for transportation planning and investment.

3. Where the municipalities identified by the secretary of housing and economic development are all contained within the jurisdiction of a single metropolitan planning organization, that metropolitan planning organization shall designate a sub-region to plan and program transportation projects in the identified communities. Where the municipalities identified by the secretary of housing and economic development are contained within the jurisdiction of more than one metropolitan planning organization, those metropolitan planning

organizations whose districts include the municipalities identified by the secretary of housing and economic development for inclusion in a sub-region shall enter into an agreement to act jointly to plan and program transportation projects in the identified communities. The transportation improvement plan developed by any sub-region shall be included in the state transportation improvement plan.

4. Planning and programming for a sub-region shall be conducted by a planning committee consisting of the secretary of department of transportation; the secretary of housing and economic development; the commissioner of the Massachusetts highway department; the director of the regional planning agencies with jurisdiction over the municipalities in the sub-region; the regional transit authorities serving municipalities in the sub-region; freight rail companies operating in the sub-region; a representative of each municipality in the sub-region; a representative of a business association representing major employers in the sub-region and representatives of municipalities and businesses within the sub region. The secretary of the department of transportation and the secretary of housing and economic development shall jointly chair the committee.

5. Funds to be programmed by the planning committee shall be a portion of the allocation of federal funds available to the metropolitan planning organizations to which the municipalities of the sub-region belong. The secretary of the department of transportation shall develop a formula for determining the appropriate allocation. In determining the formula, the secretary of the department of transportation shall include consideration of the following: economic activity in the sub-region, including payroll and data relating to workforce size; data from the most recent census regarding commuting patterns; planned land development including

development permissible under any municipality master plans and zoning regulations; existing transportation infrastructure.

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

SECTION 2. (a) The secretary of the department of transportation and the secretary of the executive office of housing and economic development shall review the transportation planning process in the commonwealth and make recommendations for legislative changes to the general court and the governor. This study shall address, but shall not be limited to, the following issues:-

(1) the changes to the existing transportation planning process necessary to comply with Chapter 25 of the Acts of 2009;

(2) the structure of the various metropolitan planning organizations (MPOs) in the commonwealth, the appropriateness of the existing assignment of municipalities to particular MPOs, the distribution of federal transportation funds among MPOs and to municipalities within MPOs;

(3) the adequacy of state, local and regional representation on each MPO;

(4) a comparison of the Massachusetts MPO structure with that of other states;

(5) the method and criteria used in evaluating, choosing, and implementing transportation infrastructure investments throughout

the Commonwealth including, but not limited to, an examination of the past geographic distribution of projects in regions and

municipalities and an evaluation of the effect projects have had on the economic development of their surrounding areas;

(6) the consideration of a formal mechanism for coordination between different regions in the commonwealth to improve efficacy of transportation planning; and

(7) the prescribed federal certification of the commonwealth's transportation planning procedures as a prerequisite to the receipt of federal funds and the appropriateness of establishing a state mechanism to evaluate the effectiveness of the existing

planning process including, but not limited to, how transportation projects align with other goals of the commonwealth.

(b) The secretaries shall report to the House of Representatives, the Senate, and the Governor, the results of the investigation and study and recommendations,

111 together with drafts of legislation necessary to carry those recommendations into effect, by filing  
112 the same with clerks of the House of Representatives and the Senate by April 1, 2012.