

# HOUSE . . . . . No. 3165

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## The Commonwealth of Massachusetts

PRESENTED BY:

*Joseph F. Wagner*

*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 the creation of a motor carrier advisory council.

PETITION OF:

| NAME:                   | DISTRICT/ADDRESS:  | DATE ADDED: |
|-------------------------|--------------------|-------------|
| <i>Joseph F. Wagner</i> | <i>8th Hampden</i> |             |

# HOUSE . . . . . No. 3165

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By Mr. Wagner of Chicopee, a petition (accompanied by bill, House, No. 3165) of Joseph F. Wagner relative to the establishment of a motor carrier advisory council. Transportation.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 3092 OF 2011-2012.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand Thirteen  
\_\_\_\_\_

An Act relative to the creation of a motor carrier advisory council.

*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 90 of the General Laws, as appearing in the 2008 Official Edition,  
2 is amended by inserting the following new section at the end thereof:

3           Section 62. There is established a Motor Carrier Advisory Council, which shall serve as a  
4 forum for representatives of the motor carrier industry to meet with representatives of various  
5 state agencies responsible for the oversight, enforcement and regulation of the commercial  
6 transportation industry. The council shall:

7           (1) make recommendations to eliminate the duplication of work among various state  
8 agencies;

9           (2) make recommendations to promote uniformity of enforcement policies;

10          (3) encourage the consolidation of the state's efforts to regulate and oversee the operation  
11 of the commercial motor vehicles in the state by reviewing the feasibility of consolidating the  
12 issuing of the forms, decals, permits, registrations, licenses and approvals required for the  
13 operation of commercial motor vehicles in the state from a central location;

14          (4) consider the intrastate and interstate effects of state policies on the ability of  
15 Massachusetts motor carriers to compete with motor carriers based in other states; and

16 (5) consider and make recommendations concerning any other matter deemed relevant by  
17 the council. The Motor Carrier Advisory Council shall consist of the following voting members:  
18 at least one member from the Massachusetts State Police Commercial Vehicle Enforcement  
19 Section, the Regional Director from the Federal Motor Carrier Safety Administration (FMCSA)  
20 ex officio, at least one member from the Massachusetts Department of Transportation, at least  
21 one member of the Massachusetts Registry of Motor Vehicles, one member of the Massachusetts  
22 Department of Environmental Protection and at least one member from the Massachusetts Motor  
23 Transportation Association or its designee. The council shall elect a chairman, at the initial  
24 meeting of the committee, from its members who shall serve for a period co-terminus with the  
25 Governor. The chairman, or his/her designee, shall be responsible to organize each meeting,  
26 notify the members, formulate the agenda, provide a copy of the minutes following the meeting  
27 and such other duties as may be required.

28 The council shall only make recommendations or take actions by a majority vote of all  
29 members present and voting. The council may make recommendations as the council deems  
30 appropriate to the Governor, the General Court or any related state agencies. The council shall  
31 convene a meeting:

32 (1) Prior to, or immediately after, the commencement of each regular session of the  
33 General Court concerning legislative proposals of the various state agencies and the  
34 representatives of the motor carrier industry;

35 (2) after the close of each regular session of the General Court concerning the impacts  
36 and implementation of any legislation affecting the motor carrier industry; and

37 (3) at the call of the chairman or any other council member, provided the council shall  
38 meet, notwithstanding the provisions of subdivisions (1) and (2) of this subsection, at least  
39 quarterly. The council shall solicit input from representatives of motor carrier related industries.  
40 Such representatives shall include, but not be limited to, the New England Bus Association  
41 (NEBA), the School Transportation Association of Massachusetts (STAM), the Massachusetts  
42 Oilheat Council, the Massachusetts Petroleum Council and the Regional Motor Advisory  
43 Council.