

**HOUSE . . . . . No. 3284**

**The Commonwealth of Massachusetts**

PRESENTED BY:

***Tricia Farley-Bouvier and Carl M. Sciortino, Jr.***

*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 transportation investment, regional fairness, and accountability to state policies.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>
<i>Carl M. Sciortino, Jr.</i>	<i>34th Middlesex</i>
<i>Timothy J. Toomey, Jr.</i>	<i>26th Middlesex</i>
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>
<i>Benjamin Swan</i>	<i>11th Hampden</i>
<i>Chris Walsh</i>	<i>6th Middlesex</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Denise Andrews</i>	<i>2nd Franklin</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Anne M. Gobi</i>	<i>5th Worcester</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Alan Silvia</i>	<i>7th Bristol</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>
<i>Marcos A. Devers</i>	<i>16th Essex</i>
<i>Stephen Kulik</i>	<i>1st Franklin</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>

<i>Jay R. Kaufman</i>	<i>15th Middlesex</i>
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Cheryl A. Coakley-Rivera</i>	<i>10th Hampden</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Aaron Vega</i>	<i>5th Hampden</i>
<i>Paul A. Schmid, III</i>	<i>8th Bristol</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>
<i>Michael D. Brady</i>	<i>9th Plymouth</i>
<i>Thomas P. Conroy</i>	<i>13th Middlesex</i>

**HOUSE . . . . . No. 3284**

By Representatives Farley-Bouvier of Pittsfield and Sciortino of Medford, a petition (accompanied by bill, House, No. 3284) of Tricia Farley-Bouvier and others for legislation to encourage economic stability and growth through job retention and development by improving the transportation system in the Commonwealth. Transportation.

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Thirteen**

An Act relative to transportation investment, regional fairness, and accountability to state policies.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide for reforms and 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. This bill is intended to guide investment to build a more financially stable,  
2 safer, and modern, transportation system across the entire commonwealth that is consistent with  
3 state public policies concerning economic health and development, the environment, and social  
4 and regional equity. The Commonwealth of Massachusetts and the Massachusetts Department of  
5 Transportation shall foster a better transportation system that will encourage economic stability  
6 and growth through job retention and development; promote fairness and social and regional  
7 equity; increase transportation choice; improve the health of Massachusetts residents; protect  
8 low-income public transportation riders and drivers; and reduce energy consumption, congestion,  
9 dependence on oil, and greenhouse gas emissions and other air pollution.

10 SECTION 2. Chapter 6C of the General Laws is hereby amended by inserting after  
11 Section 8 the following section:

12 Section 8A. The secretary of transportation shall eliminate the payment of operational  
13 costs including, but not limited to, rents, salaries, and other personnel or personnel-related costs  
14 from capital funds or the capital budget and prohibit any borrowing for operating expenses

15 within one year of the passage of this act in order to ensure that the general obligation bonding  
16 capacity of the commonwealth is directed to high priority transportation infrastructure projects.

17 SECTION 3. Section 34 of said chapter 6C, as appearing in the 2010 Official Edition, is  
18 hereby amended by striking out the first paragraph and inserting in place thereof the following  
19 paragraph:

20 Prior to the final approval of a transportation infrastructure project, including mass transit  
21 expansion or the construction of projects such as new roadways, additional road lanes, fly-overs,  
22 and highway interchanges, with a projected capital cost of more than \$15,000,000 in state funds,  
23 and prior to expending any funds for the planning, design and construction of any such project,  
24 the secretary of transportation shall request that the administrator of the appropriate division of  
25 the department of transportation prepare an analysis demonstrating the project's impact on  
26 greenhouse gas emissions; seniors, people with disabilities, low-income residents, and people of  
27 color, including health, social, economic and displacement consequences; economic stability  
28 through job retention and development potential, including the economic development potential  
29 for gateway municipalities as defined in section 3A of chapter 23A and those in state-designated  
30 environmental justice neighborhoods or communities as defined by the executive office of  
31 energy and environmental affairs environmental justice policy; travel times, pedestrian and  
32 bicycle access; and annual cost of operation. The analysis must demonstrate that the project is  
33 consistent with the goals, and implementation plan where applicable, of the commonwealth's  
34 commitments to attaining a 25 percent reduction in greenhouse gas emissions below statewide  
35 1990 levels by 2020 and an 80 percent reduction by 2050 (found in Chapter 21N); achieving  
36 positive public health outcomes through coordination of land use, transportation and public  
37 health policy (found in section 33 of chapter 6C); tripling the number of trips made by bicycling,  
38 walking or public transportation (found in the mode shift goal of the GreenDOT policy directive  
39 dated June 2, 2010, P-10-002), the multimodal accommodation and complete streets goals and  
40 requirements (found in the Massachusetts Highway Project Development and Design Guidebook  
41 dated January 2006), the environmental justice policy created by the executive office of energy  
42 and environmental affairs, and maintaining and enhancing its existing public transportation  
43 system. The secretary of transportation shall develop a methodology for this analysis within one  
44 year of passage of this act. This analysis shall be submitted to any transportation agency or body  
45 that may consider the project for selection or approval, to any advisory boards to the respective  
46 divisions of the department of transportation, and be made available to the public. Any  
47 transportation agency or body considering such a transportation project for selection or approval  
48 shall review the analysis prior to making a decision and must consider the following as selection  
49 criteria in its project selection process: greenhouse gas emissions; impacts on seniors, people  
50 with disabilities, low-income residents, and people of color, including health, social, economic  
51 and displacement consequences; economic development potential, including the economic  
52 development potential for gateway municipalities as defined in section 3A of chapter 23A and  
53 those in state-designated environmental justice neighborhoods or communities as defined by the

54 executive office of energy and environmental affairs environmental justice policy; impact on  
55 pedestrian and bicycle access; and cost of operation.

56 In addition to the analysis described herein, these criteria and others as determined  
57 necessary by MassDOT will be set forth as project selection criteria within two years of the  
58 passage of this legislation.

59 SECTION 4: Said chapter 6C is hereby further amended by inserting after section 34 the  
60 following section:

61 Section 34A. The secretary of transportation shall be mandated with all powers, authority  
62 and resources to ensure that the share of travel in the commonwealth by bicycling, transit, and  
63 walking is tripled across the state by January 1, 2030 with programs implemented in every  
64 region. To this end, the secretary of transportation shall, within a year of the passage of this  
65 legislation, develop a baseline of the amount of current travel by bicycling, transit, and walking  
66 in the commonwealth and a clear and accurate way to measure annual progress. Annual progress  
67 reports shall be submitted to the joint committee on transportation and made available to the  
68 public and shall identify ways to invest in the existing public transportation system and in  
69 environmental justice neighborhoods as defined in the executive office of energy and  
70 environmental affairs.

71 SECTION 5: Said chapter 6C is hereby further amended by inserting after section 50 the  
72 following section:

73 Section 50A. The secretary of transportation shall ensure that an equitable portion of any  
74 new revenue raised for or dedicated to transportation will be spent in or for the direct benefit of  
75 each of the 13 regional planning areas delineated in section 3 of chapter 40B based on relevant  
76 factors including a combination of current population size and jobs, as reflected by total payroll  
77 amounts. The amount will be evaluated every five years and shortfalls will be corrected and  
78 adjusted by the end of the following fiscal year.

79 The secretary shall ensure that a sufficient portion of any new revenue raised for or  
80 dedicated to transportation will be spent in or for the direct benefit of transportation  
81 maintenance, based on relevant factors including a combination of public safety and use. The  
82 amount will be evaluated every five years and shortfalls will be corrected and adjusted by the  
83 end of the following fiscal year.

84 In addition to equitable funding to regional planning areas outlined above, the secretary  
85 of transportation shall also develop a program that provides gateway municipalities as defined in  
86 section 3A of chapter 23A and environmental justice neighborhoods or communities as defined  
87 by the executive office of energy and environmental affairs environmental justice policy with  
88 sufficient funding for the planning or design of transportation projects potentially eligible for  
89 federal transportation dollars; healthy transportation investments such as bicycle, pedestrian and

90 public transportation projects; complete streets projects; or projects that create increased transit-  
91 oriented development opportunities with affordable housing.

92           The secretary of transportation may, subject to appropriation, commit funds pursuant to  
93 this section to projects to be undertaken by the department or by executing a grant or other  
94 contractual agreement with a municipality or regional transit authority organized under chapter  
95 161B, or to subgrantees of a municipality, or directly to regional transit authorities.