

SENATE No. 1646

The Commonwealth of Massachusetts

PRESENTED BY:

Katherine M. Clark

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>Katherine M. Clark</i>	<i>Fifth Middlesex</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Denise Andrews</i>	<i>2nd Franklin</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>
<i>Gale D. Candaras</i>	<i>First Hampden and Hampshire</i>

SENATE No. 1646

By Ms. Clark, a petition (accompanied by bill, Senate, No. 1646) of Katherine M. Clark, Sal N. DiDomenico, Jason M. Lewis, Kay Khan and other members of the General Court for legislation relative to transportation improvements 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., 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.