

**SENATE . . . . . No. 1706**

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The Commonwealth of Massachusetts

PRESENTED BY:

***Karen E. Spilka***

*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 promoting fairness and equity in transportation planning.

PETITION OF:

NAME:

*Karen E. Spilka*  
*Chris Walsh*

DISTRICT/ADDRESS:

*Second Middlesex and Norfolk*  
*6th Middlesex*

**SENATE . . . . . No. 1706**

By Ms. Spilka, a petition (accompanied by bill, Senate, No. 1706) of Karen E. Spilka and Chris Walsh for legislation to promote fairness and equity in transportation planning. Transportation.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act promoting fairness and equity in 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 6C of the General Laws, as appearing in the 2010 official edition,  
2 is hereby amended by adding after section 10, the following new section:

3 Section 10A. 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 transportation, in consultation with  
18 the secretary of housing and economic development, 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 transportation at the request of a municipality or, on his own initiative,  
22 may, in consultation with the secretary of housing and economic development, identify distinct  
23 geographic areas of economic activity wherein transportation planning for a sub-region of one or  
24 more metropolitan planning organizations would provide more complete and accurate  
25 information for the development of a comprehensive and coordinated transportation plan for the  
26 commonwealth. Identification of cities and towns to be included in a sub-region shall include,  
27 but not be limited to, consideration of:

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

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

50           4. Planning and programming for a sub-region shall be conducted by a planning  
51 committee consisting of the secretary of department of transportation; the secretary of housing  
52 and economic development; the commissioner of the Massachusetts highway department; the  
53 director of the regional planning agencies with jurisdiction over the municipalities in the sub-  
54 region; the regional transit authorities serving municipalities in the sub-region; freight rail

55 companies operating in the sub-region; a representative of each municipality in the sub-region; a  
56 representative of a business association representing major employers in the sub- region. The  
57 secretary of transportation or the secretary’s designee and the secretary of housing and economic  
58 development or the secretary’s designee shall jointly chair the committee.

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

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