HOUSE DOCKET, NO. 1566 FILED ON: 1/15/2015

HOUSE . . . . . No. 2984

The Commonwealth of Massachusetts

PRESENTED BY:

Tricia Farley-Bouvier

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 to explore alternative funding sources to ensure safe and reliable transportation.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Tricia Farley-Bouvier	*3rd Berkshire*
Jay R. Kaufman	*15th Middlesex*
Jonathan Hecht	*29th Middlesex*
Denise Provost	*27th Middlesex*
James B. Eldridge	*Middlesex and Worcester*
Jason M. Lewis	*Fifth Middlesex*
Carolyn C. Dykema	*8th Middlesex*
Louis L. Kafka	*8th Norfolk*
Frank I. Smizik	*15th Norfolk*
Tom Sannicandro	*7th Middlesex*
James J. O'Day	*14th Worcester*
Sonia Chang-Diaz	*Second Suffolk*
Sean Garballey	*23rd Middlesex*
Kay Khan	*11th Middlesex*
Marcos A. Devers	*16th Essex*
Christine P. Barber	*34th Middlesex*
Steven Ultrino	*33rd Middlesex*
Benjamin Swan	*11th Hampden*

Chris Walsh	*6th Middlesex*
Daniel J. Ryan	*2nd Suffolk*
David M. Rogers	*24th Middlesex*
Paul McMurtry	*11th Norfolk*

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By Ms. Farley-Bouvier of Pittsfield, a petition (accompanied by bill, House, No. 2984) of Tricia Farley-Bouvier and others for legislation to provide reforms and improvements to the Commonwealth's transportation system. Transportation.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act to explore alternative funding sources to ensure safe and reliable transportation.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to 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 help address the need for the commonwealth to
2 identify short- and long-term alternatives or supplements to the motor vehicle fuel tax, which is
3 particularly important given the diminishing value of the motor vehicle fuel tax, declining
4 supplies of conventional petroleum-based fuels, and increasing fuel-efficient vehicles. The
5 commonwealth is uniquely positioned to become a leader in the advancement of technology and
6 methods needed to develop and implement alternative ways to raise transportation revenue.

7 SECTION 2: TASK FORCE

8 (a) There shall be a vehicle mileage user fee task force to guide the development and
9 evaluation of a pilot program to assess the potential for mileage-based revenue collection for

10 Massachusetts' roads and highways as an alternative or supplement to the current system of
11 taxing highway use through motor vehicle fuel taxes.

12 (b) The task force shall consist of the following members: the secretary of
13 transportation or the secretary's designee, who shall serve as chair; 3 members to be appointed
14 by the governor, 1 of whom shall who shall be an expert in the field of transportation finance, 1
15 of whom shall be a registered civil engineer with at least 10 years' experience, and 1 of whom
16 shall be a representative of a privacy rights advocacy organization; 1 member to be appointed by
17 the president of the senate, who shall be a representative of a transportation consumer
18 organization or other public interest organization; 1 member to be appointed by the minority
19 leader of the Senate, who shall be an expert in transportation data security, 1 member to be
20 appointed by the speaker of the house of representatives, who shall be a member of a regional
21 planning agency; 1 member to be appointed by the minority leader of the house of
22 representatives, who shall be a member of a business association.

23 (c) The task force may request the department of transportation to perform such work
24 as the task force deems necessary to carry out its duties and responsibilities.

25 (d) The task force shall gather public comment on issues and concerns related to the
26 pilot program; make recommendations to the department of transportation on the design and on
27 the criteria to be used to evaluate a pilot program to test alternative approaches; and evaluate any
28 pilot program implemented by the department under this Act.

29 (e) The task force shall conduct at least 6 public hearings, 1 in each of the
30 department's highway districts. The task force shall provide interested persons with an
31 opportunity to submit their views orally and in writing and the department may create and

32 maintain a website to allow members of the public to submit comments electronically and to
33 review comments submitted by others. The task force shall provide notice of each public hearing
34 by publication in a newspaper of general circulation in the highway district in which the hearing
35 is to be located in each of 2 successive weeks, the first publication to be at least 14 days before
36 the day of the hearing and, if feasible, by posting a notice in a conspicuous place in the cities or
37 towns within the highway district for at least 14 consecutive days immediately prior to the day of
38 the hearing.

39 SECTION 3. PILOT PROGRAM.

40 (a) The department of transportation shall develop, implement and oversee one or
41 more statewide pilot programs to assess owners of motor vehicles a user fee that is based on the
42 number of miles traveled on roads in this state by those motor vehicles.

43 (b) The pilot programs shall include at least 1,000 volunteers across the
44 commonwealth who are representative of drivers of trucks, passenger, and commercial vehicles
45 and throughout the commonwealth, who will have on-board vehicle-mileage-counting equipment
46 added to their vehicles, administered in a manner the department of transportation deems
47 appropriate.

48 (c) The pilot programs shall test the reliability, ease of use, cost and public
49 acceptance of technology and methods for:

50 (1) counting the number of miles traveled by particular vehicles;

51 (2) reporting the number of miles traveled by particular vehicles; and

52 (3) collecting payments from participants in the pilot programs.

53 (d) The pilot programs shall also analyze and evaluate the ability of different
54 technologies and methods to:

55 (1) protect the integrity of data collected and reported;

56 (2) ensure drivers' privacy; and

57 (3) vary pricing based on the time of driving, type of road, proximity to transit,
58 vehicle fuel efficiency, participation in car-sharing or pooling or income of the driver.

59 (e) The pilot programs shall last at least one year.

60 (f) The department of transportation shall refund motor vehicle fuel taxes paid by
61 participants in pilot programs under this Act or otherwise compensate participants in pilot
62 programs under this Act to ensure that participants are not required to spend more on fees or
63 taxes than if they had not participated in the program. Identifying information about participation
64 in the pilot programs shall not be public and shall be exempt from disclosure under M.G.L. c. 66,
65 s. 10.

66 SECTION 3. REPORT. Notwithstanding any general or special law to the contrary, no
67 later than three years from the passage of this Act, the department of transportation shall report
68 to the general court the initial result of the pilot study, including the feasibility of permanently
69 assessing a vehicle mileage user fee, an evaluation of the impacts of such a fee on the economy,
70 the environment, and traffic congestion, a comparison to other potential alternatives or
71 supplements to the gas tax, and its initial recommendations together with legislation necessary to
72 carry its recommendations into effect by filing the same with the clerks of the senate and house
73 of representatives, and to the joint committee on transportation.