

HOUSE No. 3080

The Commonwealth of Massachusetts

PRESENTED BY:

Tom Sannicandro

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 establishing the commuter rail patrons bill of rights.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>	<i>1/8/2015</i>

HOUSE No. 3080

By Mr. Sannicandro of Ashland, a petition (accompanied by bill, House, No. 3080) of Tom Sannicandro for legislation to establish a passengers bill of rights for rail service patrons. Transportation.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3139 OF 2013-2014.]

The Commonwealth of Massachusetts

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

An Act establishing the commuter rail patrons bill of rights.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 (a) Any public or private entity offering service as a common rail carrier for natural
2 persons within the territorial jurisdiction of the Commonwealth of Massachusetts shall establish
3 and post a Passenger’s Bill of Rights.

4 (b) Said entity must establish and post the Passenger’s Bill of Rights within 180 days of
5 attaining initial certification to operate within the Commonwealth or within 180 days of the
6 enactment of this law.

7 (c) Such Bill of Rights must ensure paying passengers receive reasonable service to
8 include, at a minimum, prioritization of safety, adherence to posted schedules, and respectful
9 treatment by staff.

- 10 (1) Adherence to a posted schedule requires, but is not limited to
- 11 (i) The schedule be reasonably available in hardcopy and digital form;
- 12 (ii) The schedule be available in English, Spanish and Portuguese;
- 13 (iii) No route, service or specific train be cancelled without advertising such change 30
- 14 days in advance;
- 15 (A) Exception may be granted for severe weather or an accident on the track that requires
- 16 investigation, but not for performing maintenance or repairs.
- 17 (iv) The schedule be accurate with any changes advertised at least 30 days in advance;
- 18 and
- 19 (v) The train arrive at each designated stop no later than 30 minutes from posted time.
- 20 (A) Exception may be granted for severe weather or an accident on the track that requires
- 21 investigation, but not for performing maintenance or repairs.
- 22 (d) An infraction of the Passenger's Bill of Rights subjects the common rail carrier entity
- 23 to treble damages such that, should any paying passenger or group of paying passengers give
- 24 timely notice of a breach of the Passenger's Bill of Rights through an official avenue, that
- 25 passenger or group of passengers shall be entitled to a voucher for three free rides on the same
- 26 line in the form of a 3-Free-Ride voucher.
- 27 (1) A timely notice of Passenger's Bill of Rights infraction generally means while the
- 28 passenger is still on the train, or within 24 hours of a train service that was cancelled or more
- 29 than 30 minutes late to arrive.

30 (2) An official avenue for notice includes, but is not limited to, a communication to an
31 on-duty conductor or ticket-collector, or an email to the entity's customer service or general
32 account.

33 (3) It is permissible for the 3-Free-Ride voucher to be non-transferable.

34 (4) It is permissible for the 3-Free-Ride voucher to be issued to a particular person and
35 redeemable only with production of corroborating personal identification.

36 (5) Should the line for which the 3-Free-Ride voucher is redeemable be cancelled prior to
37 the expiration of the voucher, said voucher may be redeemed on any other line serviced by the
38 same entity.

39 (6) Under no circumstances will any 3-Free-Ride voucher be redeemable for travel
40 beyond the territorial boundaries of the Commonwealth of Massachusetts.

41 (7) The 3-Free-Ride voucher shall be redeemable for its equivalent value on the purchase
42 of a monthly or ten ride pass.