

SENATE No. 1851

The Commonwealth of Massachusetts

PRESENTED BY:

Jason M. Lewis

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:
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Benjamin Swan</i>	<i>11th Hampden</i>
<i>Daniel J. Ryan</i>	<i>2nd Suffolk</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>

SENATE No. 1851

By Mr. Lewis, a petition (accompanied by bill, Senate, No. 1851) of Jason M. Lewis, James B. Eldridge, Tricia Farley-Bouvier, James J. O'Day and other members of the General Court for legislation explore alternative funding sources to ensure safe and reliable transportation. 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.

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

23 (c) The task force may request the department of transportation to perform such work as
24 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 pilot
26 program; make recommendations to the department of transportation on the design and on the
27 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 department's
30 highway districts. The task force shall provide interested persons with an opportunity to submit
31 their views orally and in writing and the department may create and maintain a website to allow
32 members of the public to submit comments electronically and to review comments submitted by
33 others. The task force shall provide notice of each public hearing by publication in a newspaper

34 of general circulation in the highway district in which the hearing is to be located in each of 2
35 successive weeks, the first publication to be at least 14 days before the day of the hearing and, if
36 feasible, by posting a notice in a conspicuous place in the cities or towns within the highway
37 district for at least 14 consecutive days immediately prior to the day of the hearing.

38 SECTION 3. PILOT PROGRAM.

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

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

46 (c) The pilot programs shall test the reliability, ease of use, cost and public acceptance of
47 technology and methods for: (1) counting the number of miles traveled by particular vehicles; (2)
48 reporting the number of miles traveled by particular vehicles; and (3) collecting payments from
49 participants in the pilot programs.

50 (d) The pilot programs shall also analyze and evaluate the ability of different
51 technologies and methods to: (1) protect the integrity of data collected and reported; (2) ensure
52 drivers' privacy; and (3) vary pricing based on the time of driving, type of road, proximity to
53 transit, vehicle fuel efficiency, participation in car-sharing or pooling or income of the driver.

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

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

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