

HOUSE No. 4505

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 26, 2020.

The committee on Bonding, Capital Expenditures and State Assets, to whom was referred the Bill authorizing and accelerating transportation investment (House, No. 4397), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4505) [Bond Issue: General Obligation Bonds: \$16,790,000,000.00 and Special Obligation Bonds: \$1,250, 000,000.00].

For the committee,

ANTONIO F.D. CABRAL.

HOUSE No. 4505

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act authorizing and accelerating transportation investment.

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. To provide for a program of investments to make the commonwealth’s
2 transportation system more reliable, address deferred maintenance, and modernize and expand
3 the system, the sums set forth in sections 2 to 2H, inclusive, for the several purposes and subject
4 to the conditions specified in this act, are hereby made available, subject to the laws regulating
5 the disbursement of public funds; provided, however, that the amounts specified in an item or for
6 a particular project may be adjusted in order to facilitate projects authorized in this act. The sums
7 made available in this act shall be in addition to any amounts previously made available for these
8 purposes.

9 SECTION 2.

10 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

11 Highway Division

12 6121-2114 For projects on the interstate and non-interstate federal highway system;
13 provided, that funds may be expended for the costs of these projects including, but not limited to
14 the nonparticipating portions of these projects and the costs of engineering and other services
15 essential to these projects; provided further, that funds may be expended for bicycle and
16 pedestrian and other multi-modal facilities; provided further, that notwithstanding this act or any
17 other general or special law to the contrary, the department shall not enter into any obligations
18 for projects which are eligible to receive federal funds under this act unless state matching funds
19 exist which have been specifically authorized and are sufficient to fully fund the corresponding
20 state portion of the federal commitment to fund these obligations; and provided, further, that the
21 department shall only enter into obligations for projects under this act based upon a prior or
22 anticipated future commitment of federal funds and the availability of corresponding state
23 funding authorized and appropriated for this use by the general court for the class and category
24 of project for which this obligation
25 applies.....\$5,600,000,000

26 SECTION 2A.

27 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

28 Highway Division

29 6121-2117 For the design, construction and repair of, or improvements to,
30 nonfederally-aided roadway and bridge projects and for the nonparticipating portion of federally-
31 aided projects; provided, that the department may use these funds for the purchase and
32 rehabilitation of facilities, heavy equipment and other maintenance equipment; provided further,
33 that the department may use these funds for multi-modal facilities; provided further, that no less

34 than \$5,000,000 shall be expended for a sound barrier from Copeland Circle to Route 16 in the
35 City of Revere; provided further, that no less than \$25,000,000 shall be expended for the
36 reconstruction and widening of the overpass over the Town Line Brook after Copeland Circle;
37 provided further, that the amounts specified in this item for a particular project or use, if any,
38 may be adjusted in order to facilitate other projects relating to the design, construction, repair or
39 improvement to nonfederally-aided roadway and bridge
40 projects.....\$2,750,000,000

41 6121-2147 For the planning, study, design, construction, reconstruction, resurfacing,
42 repair, climate change adaptation, multi-modal access, and improvement of transportation
43 infrastructure associated with the approaches to the Bourne Bridge and the Sagamore Bridge, and
44 other transportation infrastructure improvements to enhance the traffic safety, traffic flow, and
45 ease congestion at each of the Bourne Bridge and the Sagamore Bridge, respectively, and to
46 prepare for and to leverage federal investments and improvements to each such bridge; including
47 but not limited to highway, interchange, and non-highway improvements; elements that improve
48 access for all modes, pavement, surface conditions, approaches, ramps, rotaries, exits,
49 alignments, lane enhancements, signage, and safety features; provided that this item may also be
50 expended for costs associated with the planning, study, design, construction, reconstruction,
51 resurfacing, repair, multi-modal access, and improvement of transportation infrastructure in and
52 around the Cape Cod Canal area including in Bourne and Sandwich; provided, further, that
53 expenditures from this item may include the costs of engineering, design, permitting, climate
54 change adaptation and resilience, and other services essential to projects under this
55 item.....\$350,000,000

56 6121-2157 For the construction, reconstruction, resurfacing, repair, and improvement
57 of pavement and surface conditions on nonfederally-aided roadways, including but not limited to
58 state numbered routes and municipal roadways; provided that expenditures from this item may
59 include the costs of engineering, design, permitting, climate change adaptation and resilience,
60 and other services essential to projects under this
61 item.....\$150,000,000

62 SECTION 2B.

63 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

64 Highway Division

65 6121-2118 For the municipal small bridge program for the purposes of design,
66 engineering, construction, preservation, reconstruction and repair of or improvements to
67 nonfederally-aided bridges and approaches meeting the criteria of the municipal small bridge
68 program as determined by the department; provided, that expenditures from this item may
69 include the costs of engineering, design, permitting, climate change adaptation and resilience,
70 and other services essential to projects under this item; provided further, that a city or town shall
71 comply with the procedures established by the department with respect to the municipal small
72 bridge program; and provided further, that no amounts appropriated under this item shall be
73 expended for bridges or approaches owned by or under the control of the department or the
74 Massachusetts Bay Transportation
75 Authority.....\$70,000,000

76 6121-2127 For the purpose of implementing a program to address localized
77 operationally-influenced bottlenecks that negatively impact traffic flow, including but not limited

78 to redesign, re-striping, lane and shoulder width adjustments, addition of auxiliary, collector and
79 distributor lanes, signal improvements, ramp adjustments, signage, and other infrastructure
80 improvements to reduce congestion, improve traffic flow, address safety issues, and reduce
81 idling and greenhouse gas emissions; provided further, that no less than \$250,000 shall be
82 expended for a study of the Father Hart Bridge and Sprague Street Bridge bottlenecks in the
83 Readville section in the City of Boston to be completed by December 31, 2020; provided, further
84 that funds may be used for the purpose of grants to
85 municipalities.....\$100,000,000

86 6121-2128 For the construction, reconstruction, resurfacing, repair, and improvement
87 of pavement and surface conditions on municipal roadways; provided, that expenditures from
88 this item may include the costs of engineering, design, permitting, climate change adaptation and
89 resilience, and other services essential to projects under this item; provided further, that funds
90 may be expended from this item for matching grants to municipalities; provided further, that the
91 department may use these funds for improving the condition of bicycle and pedestrian
92 accommodations related to such roadway projects consistent with principles of the complete
93 streets program established pursuant to chapter 90I of the General Laws when feasible; provided
94 further, that in connection with a grant under this item, a city or town shall comply with the
95 procedures established by the department with respect to municipal roadways in the pavement
96 improvement program.....\$200,000,000

97 6121-2138 For the complete streets program established pursuant to chapter 90I of the
98 General Laws, as amended, for complete streets grants to
99 municipalities.....\$50,000,000

100 6622-2187 For the purpose of implementing a program for transit-supportive
101 infrastructure, including, but not limited to, dedicated bus lanes, signal prioritization, shelters,
102 lighting, signage, repairs and other improvements, technology and accessibility features, and
103 other infrastructure elements; provided, that projects may be used to improve and facilitate more
104 efficient delivery of transit operations, encourage municipal investment and support of transit
105 facilities, benefit passenger experience, and to enhance transit rider and pedestrian service and
106 safety; provided, further that funds may be used for the purpose of grants to
107 municipalities.....\$50,000,000

108 SECTION 2C.

109 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

110 Highway Division

111 6121-2137 For the construction, reconstruction, resurfacing, repair, and improvement
112 of bridges, approaches and related infrastructure, including elements that improve access for all
113 modes; provided further, that no less than \$15,000,000 shall be expended for the reconstruction
114 and widening of the Railroad Avenue Bridge at Route 16 East and Route 1A South; provided,
115 that expenditures from this item may include the costs of engineering, design, permitting, climate
116 change adaptation and resilience, and other services essential to projects under this
117 item.....\$1,250,000,000

118 SECTION 2D.

119 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

120 Rail and Transit Division

121 6621-2117 For the purpose of implementing rail improvements pursuant to chapter
122 161C of the General Laws; provided, that funds may also be used for transportation planning,
123 design, permitting, acquisition of interests in land and engineering for rail projects, including the
124 industrial rail access program; provided further, that the department may use funds from this
125 item for the costs of engineering and other services essential to these projects; provided, further,
126 that the department may use these funds for a particular project or use may be adjusted in order
127 to facilitate other projects, if
128 any.....\$400,000,000

129 6622-2117 For the purposes of chapter 161B of the General Laws, including, but not
130 limited to, projects that may maintain and improve the overall condition, reliability and
131 resiliency of regional transit networks and facilities, including the purchase and rehabilitation of
132 rolling stock, low or no emission vehicles, and other infrastructure and equipment required to
133 support such rolling stock, related assets and support equipment, rehabilitation of regional transit
134 authority facilities, including maintenance, and passenger facilities, and purchase of related
135 appurtenances, equipment, technology, and
136 tools.....\$330,000,000

137 6622-2127 For the purposes of implementing the mobility assistance program
138 pursuant to section 13 of chapter 637 of the acts of 1983 and regional intercity bus and
139 intermodal service; provided, that funds may also be used for transportation planning, design,
140 permitting, acquisition of interests in land and engineering for bus and other transit
141 projects.....\$60,000,000

142 SECTION 2E.

143 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

144 Office of the Secretary

145 6621-2108 For the purpose of implementing sustainable transit system modernization
146 investments and rail improvements pursuant to chapter 161A of the General Laws; provided, that
147 funds may be used for transportation planning, design, permitting and engineering, right-of-way
148 acquisition, acquisition of interests in land, vehicle procurement, construction, and climate
149 change adaptation and resilience improvements, including, without limitation, construction,
150 reconstruction, retrofitting, resilience, efficiency improvements, and modernization of stations,
151 signals, tracks, power and electrical systems; planning, design, permitting and engineering,
152 acquisition of interests in and rights to land, construction and reconstruction, improvement,
153 expansion, renovation, repair, relocation, and equipping of maintenance and storage facilities,
154 including, but not limited to, technology to support and service battery electric, hybrid and other
155 low emission transit vehicles; and for heavy rail, light rail and bus projects which projects shall
156 include, but shall not be limited to, the red line, orange line, green line, silver line and blue line,
157 including feasibility and planning studies and capital support for pilot services; provided, further,
158 that funds may be used for modernizing the bus fleet and associated infrastructure of the
159 Massachusetts Bay Transportation Authority system, including, but not limited to,
160 implementation of the so-called Better Bus Project; provided further, that not less than \$600,000
161 shall be expended for the planning, study, design, and capital costs to implement a Bus Rapid
162 Transit pilot along the Route 2 Corridor (Acton to Cambridge); provided, further, that funds may
163 be used for the purpose of implementing the green line transformation program including, but
164 not limited to, planning, design, and procurement of rolling stock to improve service, reliability,
165 enhance rider accessibility, and increase capacity; provided, further, that funds may be used for

166 the purchase and rehabilitation of heavy equipment and other maintenance equipment; provided
167 further, that funds shall be expended for the design and construction for signalization
168 improvements located along the blue line in the city of Boston between the Bowdoin and
169 Wonderland station; provided further, that funds shall be expended for the design and
170 construction of a commuter rail station at Wonderland Park on the Newburyport and Rockport
171 line in the city of Revere, together with design and construction of an enclosed pedestrian
172 connection to the Wonderland station intermodal transit facility on the blue line in the city of
173 Revere; provided further, that money shall be expended for the purpose of implementing the blue
174 line extension to Charles/MGH station improvements provided further, that funds may be used
175 for transportation planning, design, permitting and engineering, acquisition of interests in land,
176 vehicle procurement, construction, construction of stations and right of way acquisitions;
177 provided further, that not less than \$100,000,000 shall be expended for the planning, study,
178 design, engineering, permitting, construction, reconstruction, resurfacing, repair, climate change
179 adaption, multi-modal access, and improvement of transportation infrastructure associated with
180 the rebuild of the Alewife Garage to enhance traffic safety and traffic flow into and out of the
181 Alewife Garage; including, but not limited to improving pavement, surface conditions,
182 approaches, ramps, exits, alignments, lane enhancements, signage, parking payments, bicycle
183 and scooter commuting, and safety features; provided further, that not less than \$420,000 shall
184 be expended for a feasibility study for the extension of the E line from Heath Street to Hyde
185 Square; provided, further, that funds may be used for safety, accessibility and security equipment
186 and improvements, energy efficiency, climate change adaptation and emergency preparedness,
187 bicycle and pedestrian access improvements, and so-called “last mile” capital improvements;
188 provided, further, that final assembly of the orange line and red line non-pilot production

189 vehicles, as defined within the Massachusetts Bay Transportation Authority’s procurement of
190 said vehicles, shall take place in the commonwealth; and provided further, that the Massachusetts
191 Bay Transportation Authority in evaluating proposals for the furnishing and delivery of non-pilot
192 production vehicles shall consider, among other criteria, the effect said proposals will have on
193 job creation and retention in the commonwealth and how said proposals will foster economic
194 development in the commonwealth; and provided, further, that the relative weight of all the
195 criteria used for the selection of the red line and orange line vehicle proposals shall be
196 determined by the Massachusetts Bay Transportation
197 Authority.....\$3,400,000,000

198 6622-2137 For the purpose of implementing rail improvements pursuant to chapter
199 161A of the General Laws, including, but not limited to, projects that maintain the overall state
200 of good repair and reliability of rail, subway, and bus services; provided, that funds may be
201 expended for necessary and routine system preservation activities designed primarily to bring
202 existing transportation assets up to an acceptable level of condition; provided, further, that funds
203 may be used for transportation planning, design, permitting and engineering, right-of-way
204 acquisition, acquisition of interests in land, vehicle procurement and overhaul, vehicle storage
205 and maintenance facilities, construction, repair, and improvement of stations, parking structures,
206 signals, track, and electrical systems associated with all commuter rail, heavy rail, light rail and
207 bus operations; and provided, further, that funds may be used for the purchase and rehabilitation
208 of heavy equipment and other maintenance equipment; and provided, further, that projects to
209 replace or rehabilitate existing assets shall seek to substantially modernize these assets, where
210 deemed feasible, appropriate, and cost effective..... \$300,000,000

211 6622-2181 For the purpose of implementing South Coast Rail improvements;
212 provided, that not more than \$100,000,000 shall be used to mitigate the impact of the South
213 Coast Rail project on communities in accordance with section 38 of chapter 79 of the acts of
214 2014; provided, that any new or existing rail station receiving South Coast Rail service shall
215 comply with the Americans with Disabilities Act of 1990, as amended; provided further, that
216 funds shall be expended for the design and construction of a commuter rail intermodal station
217 downtown at New Bedford Station (formerly Whale’s Tooth Station) on the South Coast Rail
218 Line in the City of New Bedford

219\$875,000,000

220 6622-2182 For the purpose of implementing the green line extension improvements;
221 provided, that funds may be used for transportation planning, design, permitting and engineering,
222 acquisition of interests in land, vehicle procurement, construction, construction of stations and
223 right-of-way acquisition; provided further that not more than \$10,000,000 shall be expended for
224 an Environmental Impact Review that shall be completed by December 31, 2020

225\$605,000,000

226 6622-2183 For the purpose of implementing South Station improvements, including
227 modernization of the signal system and for modernizing the commuter rail system and commuter
228 rail system components; provided, that funds may be expended for projects including but not
229 limited to, planning, design, and acquisition of commuter rail passenger coaches and
230 locomotives, infrastructure improvements, technology and equipment necessary to support new
231 or modified commuter rail service models, safety features, and passenger enhancements;
232 provided further that funds may be expended for capital costs associated with infrastructure and
233 equipment to leverage innovative financing and partnership approaches; provided, further, that

234 funds may be used for planning and feasibility studies and the capital costs of pilot projects to
235 test new service models such as regional rail and urban rail; provided, further, that funds may be
236 used for transportation planning, design, permitting and engineering, acquisition of rights of way
237 and interests in land, construction and reconstruction of stations and other facilities; and provided
238 further, that not less than \$25,000,000 shall be expended on the design and engineering of
239 transportation improvements in South Boston along East Broadway, West Broadway, Dorchester
240 Avenue, Old Colony Avenue, L Street, Farragut Road, Cypher Street, E Street, Day Boulevard
241 and the intersection of Haul Road and Northern Avenue, taking into consideration the
242 recommendations of the South Boston Waterfront Transportation Plan, as amended from time to
243 time.....\$400,000,000

244 6622-2184 For the purpose of implementing rail improvements pursuant to chapter
245 161C of the General Laws; provided, that funds may be used for transportation planning, design,
246 permitting and engineering, acquisition of interests in land, vehicle procurement, construction,
247 construction of stations and right-of-way acquisition for rail projects, including Springfield to
248 Worcester service, Boston to Cape Cod service and Pittsfield to New York City service,
249 including but not limited to the Housatonic Line
250\$175,000,000

251 SECTION 2F.

252 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

253 Aeronautics Division

254 6820-2117 For the airport improvement program pursuant to section 39A of chapter
255 90 of the General Laws, including but not limited to aeronautics safety and modernization
256 improvements..... \$150,000,000

257 SECTION 2G.

258 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

259 Office of the Secretary

260 6720-2117 For transportation planning and programming related to all modes,
261 including but not limited to active transportation, bicycle and pedestrian travel, rail and transit,
262 and automobiles and associated assets including but not limited to roads, bridges, transit
263 facilities, shared-use paths, and bicycle and pedestrian and other multi-modal facilities essential
264 to the provision of transportation services for system users; provided, that funds may be
265 expended for the maintenance, improvement and expansion of shared use paths and support for
266 multi-modal networks that may enhance mobility or promote sustainable modes of transportation
267 across the commonwealth; provided further, that funds may be expended for the acquisition of
268 information technologies that will support department data and asset management initiatives;
269 provided further, that funds may be expended for compliance with federal mandates and other
270 statutory requirements including modal studies to help establish the framework for the
271 department to adopt policies and programs to enhance delivery of services within all modes;
272 provided further, that funds shall be expended for a feasibility study to establish transit
273 improvement districts; provided further, that funds may be expended to reduce energy usage,
274 enhance climate change resilience, adaptation, mitigation, and support reduction of greenhouse
275 gas emissions from transportation; provided further, that this item may be used to support and

276 leverage municipal, quasi-public, nonprofit, and private investments; provided further, that no
 277 less than \$500,000 shall be expended for the planning, study, and design to implement satellite
 278 parking and local shuttle bus projects to support commuters traveling to and from the Fitchburg
 279 Line MBTA Commuter stops from Concord to Boston; provided further, that no less than
 280 \$500,000 shall be expended for the planning, study, and design to implement satellite parking
 281 and local shuttle projects connecting major transit routes along Route 128 and Route 95 to
 282 alleviate congestion along Route 2; provided further, that \$100,000,000 may be used to
 283 implement the so-called bike and pedestrian plan; and provided further, that \$25,000,000 may be
 284 used for a program of matching grants to municipalities for landside water ferry terminal
 285 construction and improvement projects that leverage municipal, nonprofit, and private
 286 investments in the delivery of public water transportation services in the greater Boston region
 287 and provide feasible and cost effective reductions to roadway
 288 congestion.....\$475,000,000

289 6720-2127 For the purpose of capital costs associated with preconstruction, planning,
 290 and early action capital work for the so-called Allston Multimodal Project, including multi-
 291 modal project planning and studies, the preparation of plans and specifications, design,
 292 permitting and engineering, climate change adaptation and resilience, regional mobility planning,
 293 acquisition of interests in land, planning and siting of rail and bus stations and right-of-way
 294 acquisition purchases, maintenance facilities, procurement of equipment, development,
 295 mitigation, and implementation of information technology-related equipment, lighting,
 296 landscaping, traffic improvements, bicycle and pedestrian accessibility, and related capital
 297 projects in the Allston neighborhood of
 298 Boston.....\$250,000,000

299 SECTION 2H.

300 EXECUTIVE OFFICE OF TECHNOLOGY SERVICES AND SECURITY

301 Office of the Secretary

302 1790-2019 For costs associated with pilot programs, planning and studies, the
303 preparation of plans and specifications, design, development, acquisition, and implementation of
304 information technology-related equipment, hardware, software, devices, cybersecurity,
305 communications systems, safety and accessibility technologies, and data solutions, including, but
306 not limited to, so-called intelligent transportation infrastructure projects for the Massachusetts
307 department of
308 transportation.....\$50,000,000

309 SECTION 3. Subsection (a) of section 2ZZZ of chapter 29 of the General Laws, as
310 appearing in the 2018 Official Edition, is hereby amended by adding at the end thereof the
311 following:-

312 Notwithstanding the provisions of section 5C or any other general or special law to the
313 contrary, no amount, including but not limited to any surplus or consolidated net surplus, shall be
314 transferred from the fund except pursuant to an appropriation.

315 SECTION 4. Clause (2) of subsection (d) of section 2ZZZ of chapter 29 of the General
316 Laws, as so appearing in the 2018 Official Edition, is hereby amended by adding the following
317 sentence:- Notwithstanding the foregoing, the transfer required by this clause shall be increased
318 each year in an amount sufficient to comply with the last paragraph of section 23 of Chapter

319 161B. No regional transit authority's assistance from this transfer shall be reduced in order to
320 comply with section 23 of chapter 161B.

321 SECTION 5. Chapter 89 of the General Laws, as so appearing, is hereby further amended
322 by inserting after section 7C the following section:-

323 Section 7D. The operator of any vehicle involved in a crash in a travel lane on a public
324 way resulting only in property damage shall immediately move or cause the vehicle to be moved
325 to a safe area on the shoulder, emergency lane, or median, or to a place otherwise removed from
326 the roadway when such moving of a vehicle can be done safely and the vehicle is capable of
327 being operated under its own power, without further damage to property or injury to any person.

328 Whenever any state or municipal law enforcement agency determines that an emergency
329 is caused by the immobilization of any vehicle in a travel lane on a public way, the agency and
330 those acting at its direction or request shall have the authority to move the immobilized vehicle.

331 Violation of this section shall be punished by a fine of not more than \$100. A
332 violation of this section shall not be a surchargeable incident under section 113B of chapter 175
333 or under a motor vehicle liability policy as defined in section 34A that is issued pursuant to said
334 chapter 175.

335 SECTION 6. Section 7E of chapter 90 of the General Laws, as so appearing, is hereby
336 amended by inserting, in line 68, after the word "registrar", the following words:- , (vii) a
337 vehicle, or equipment owned or used by the Massachusetts Department of Transportation
338 established by section 2 of chapter 6C, in connection with maintenance or construction activities
339 in highway work zones, and only by the authority of a permit issued by the registrar.

340 SECTION 7. Section 17 of chapter 90 of the General Laws, is hereby further amended by
341 inserting after section 17 the following section:-

342 Section 17½. (a) For purposes of this section, “active construction zone” shall mean an
343 area on a public highway or on the adjacent right of way where construction, repair, maintenance
344 or survey work is being performed by the department or by a utility company or a private
345 contractor under contract with the department.

346 (b) Notwithstanding section 18, the department may establish a speed limit in an active
347 construction zone without conducting an engineering study. A rate of speed in excess of a speed
348 limit posted under this section shall be prima facie evidence that the motor vehicle’s speed was
349 not reasonable and proper. A violation of this section shall be punishable by a fine of 2 times the
350 amount that would be imposed for such a violation in that area if the area were not designated as
351 a construction zone.

352 A construction zone speed limit shall be effective when signs giving notice of that speed
353 limit are prominently displayed and construction, repair, maintenance or survey work is being
354 performed. The signs may carry either a fixed speed limit or an electronic message that displays
355 adjusted speed limits when work is being performed. The signs shall notify motorists that the
356 fine for a violation of the posted speed limit is doubled in the construction zone.

357 SECTION 8. Section 2 of chapter 161A of the General Laws, as appearing in the 2018
358 Official Edition, is hereby amended by adding the following sentence:- Notwithstanding any
359 general or special law to the contrary, no person shall acquire any rights by prescription or
360 adverse possession in any lands or rights in lands held in the name of the authority, and no
361 person shall accrue any rights by prescription or adverse possession in any such lands or rights in

362 land for the time period during which such lands or rights in land are or were held in the name of
363 the authority.

364 SECTION 9. The third paragraph of section 20 of chapter 161A of the General Laws, as
365 so appearing, is hereby amended by striking out clause (iii) in the third sentence and inserting in
366 place there of the following clause:- (iii) specify that no proceeds of the commonwealth general
367 obligation bonds shall be used to fund an employee's salary; and

368 SECTION 10. The last paragraph of section 23 of chapter 161B of the General Laws, as
369 appearing in the 2018 official edition, is hereby amended by adding the following sentence:-
370 Said contract assistance shall be increased each year by the inflation index as defined in section
371 35T of chapter 10 for the preceding 12 months as certified on March 1.

372 SECTION 11. The second paragraph of section 2 of chapter 634 of the acts of 1971, as
373 most recently amended by section 38B of chapter 120 of the acts of 2009, is hereby further
374 amended by adding the following 4 sentences:-

375 Any failure to provide necessary flag protection shall be subject to a fine of not more than
376 \$3,500 per day payable to the department, which shall become due 30 days after receipt of
377 notice, unless an adjudicatory hearing is requested prior to the expiration of the 30 days.

378 Following an adjudicatory hearing, the secretary of transportation shall make a final decision and
379 shall provide notice to all parties. The final decision shall take effect within 30 days, unless an
380 appeal is taken under section 14 of chapter 30A prior to the expiration of the 30 days. The
381 superior court shall have jurisdiction, upon petition of the department, to enforce the provisions
382 of this section.

383 SECTION 12. The first paragraph of section 7 of chapter 233 of the acts of 2008 is
384 hereby amended by striking out the figure “2027” and inserting in place thereof the following
385 figure:- 2039

386 SECTION 13. Section 8 of said chapter 233 is hereby amended by striking out the figure
387 “2046” and inserting in place thereof the following figure:- 2054.

388 SECTION 14. Section 20 of chapter 79 of the acts of 2014 is hereby amended by striking
389 out the figure “2049” in both places where it appears and inserting in place thereof the following
390 figure:- 2054.

391 SECTION 15. Notwithstanding any general or special law to the contrary, as used in this
392 section, the following words shall have the following meanings:-

393 “Best value”, the highest overall value to the awarding authority, considering quality and
394 cost.

395 “Department”, the Massachusetts Department of Transportation established by section 2
396 of chapter 6C of the General Laws.

397 “Job order”, an agreed upon fixed-price order issued by the department or by the MBTA
398 to a contractor pursuant to a job order contract, for the contractor’s performance of a specific
399 construction, reconstruction, alteration, remodeling or repair project of a public work consisting
400 solely of tasks, materials and equipment selected from those specified and priced in that job
401 order contract.

402 “Job order contract”, a contract for the performance of construction, reconstruction,
403 alteration, remodeling or repair of a public work, or a subset thereof: (1) that is limited to a

404 specified term; (2) in which the contract specifications consist of technical descriptions of
405 various tasks, materials and equipment at stated unit prices but do not specify the specific
406 projects to be performed by the contractor; (3) which contains a fixed contractor's adjustment
407 factor applied to the unit prices stated in the specifications; and (4) in accordance with which, the
408 department and the MBTA may enter into fixed price job orders with the contractor for the
409 performance of specific projects, consisting solely of combinations of the tasks, materials and
410 equipment specified in the contract, at the unit prices specified therein multiplied by the
411 contractor's adjustment factor.

412 "Maintenance", includes routine operation, routine maintenance, routine repair,
413 rehabilitation, capital maintenance, maintenance replacement and any other categories of
414 maintenance that may be designated by the department.

415 "MBTA", the Massachusetts Bay Transportation Authority established by section 2 of
416 chapter 161A of the General Laws.

417 (a) Notwithstanding section 44A of chapter 149 of the General Laws, to the extent
418 applicable, and section 39M of chapter 30 of the General Laws or any other general or special
419 law to the contrary, the department and the MBTA may establish programs for the use of job
420 order contracts.

421 As part of the programs, the department and the MBTA may procure job order contracts
422 for services related to the creation and use of job order contracts including, without limitation the
423 creation of task descriptions, specifications and unit prices for use in job order contracts, and
424 training and other services related to such contracts. No job order contract shall encompass tasks

425 performed before the contract by any MBTA employee covered by a collective bargaining
426 agreement.

427 Job orders shall be estimated to cost not more than \$500,000 each. The job order contract
428 shall be procured through a best value selection process except that: (i) the amount of the bid
429 deposit shall be \$5,000; (ii) contractors who are awarded job orders under any job order contract
430 shall be eligible for the category of work specified in the contract; (iii) the amounts of surety
431 bonds required by the contract may be satisfied with respect to each particular job order before
432 the commencement of any work under that job order; and (iv) multiple job order contracts may
433 be awarded under a single procurement.

434 (b) (1) The department and the MBTA may procure job order contracts for projects that:
435 (i) improve access to places of public accommodation listed in section 92A of chapter 272 of the
436 General Laws; or (ii) remove barriers and create or improve accessible features for both physical
437 and programmatic access necessary for compliance with the law, including for compliance with
438 title II of the Americans with Disabilities Act of 1990 and the laws of the commonwealth.

439 (2) These contracts shall be limited to job orders estimated to cost not more than
440 \$1,000,000 each and shall be procured through the procedures specified in section 39M of
441 chapter 30 of the General Laws except that: (i) the amount of the bid deposit shall be \$5,000; (ii)
442 contractors who are awarded job orders under any job order contract shall be certified by the
443 division for the category of work specified in the contract; and (iii) the amounts of surety bonds
444 required by the contract may be satisfied with respect to each particular job order before the
445 commencement of any work under that job order. The department and the MBTA shall award a

446 job order contract to the eligible and responsible bidder who offers the lowest mark-up over the
447 base unit prices specified in the contract specifications.

448 SECTION 16. For the purposes of this section, “private transportation provider” shall
449 mean a private entity operating regular, continuing shared-ride surface transportation services
450 that are open to the general public or open to a segment of the general public defined by age,
451 disability, or low income.

452 Notwithstanding the provisions of any general or special law to the contrary, the Cape
453 Cod Regional Transit Authority and the Southeastern Regional Transit Authority are hereby
454 authorized in fiscal year 2019 and thereafter to enter into contracts with private transportation
455 providers to identify and pursue projects to increase federal transit urbanized area formula
456 program funding that is in addition to the current funding from direct transit authority
457 transportation reporting to the Federal Transit Administration National Transit Database.
458 Incentive payments provided to private transportation providers for their reporting efforts and for
459 the enhancement of their transportation services shall be a net neutral expense to the
460 Commonwealth and shall be paid exclusively from the exchange of the additional federal
461 urbanized area formula program funding generated by the private transportation provider
462 reporting to the Federal Transit Administration National Transit Database, with State
463 appropriated transportation funding.

464 There shall be established on the books of the Commonwealth under the MassDOT
465 secretariat, an expendable trust fund known as the Federal Transit Funding Maximization Fund
466 for the purposes of providing funding to the Cape Cod Regional Transit Authority and the
467 Southeastern Regional Transit Authority for the compensation of private transportation providers

468 for reporting transportation data to the Federal Transit Administration National Transit Database,
469 which results in federal transit urbanized area formula program funding that is in addition to
470 formula funding from direct transit authority transportation reporting to the National Transit
471 Database. The transit authority, identified as the designated recipient by the Federal Transit
472 Administration for the urbanized area, is directly allocated the entire federal urbanized area
473 formula funding, of which, the additional federal urbanized area formula funding resulting from
474 the private transportation provider reporting shall be calculated by the transit authority based on
475 the prior federal fiscal year formula funding amounts published by the Federal Transit
476 Administration. The Cape Cod Regional Transit Authority and the Southeastern Regional Transit
477 Authority, in consultation with MassDOT, shall take into consideration direct and indirect state,
478 federal and other in-kind transit authority support provided to the private transportation provider
479 when calculating the percentage and corresponding dollar value for each private transportation
480 provider payment (“earned payment”) under this section, but in no case shall it exceed 25% of
481 the additional federal urbanized area formula funding resulting from the private transportation
482 provider reporting to the National Transit Database. Up to 25% of the additional federal transit
483 urbanized area formula funds generated from the private transportation providers contractual
484 participation in the Transit Funding Maximization Program shall be transferred to the Governor,
485 who shall subsequently reallocate all transferred urbanized area formula funds to transit
486 authorities in large or small urbanized areas within the State for eligible purposes under the
487 urbanized area program. The reallocation of federal transit urbanized area formula funds by the
488 Governor shall include a transfer to the Massachusetts Bay Transportation Authority in an
489 amount equal to the calculated private transportation provider earned payment, with a
490 corresponding reduction to the Commonwealth Transportation Fund, item 1595-6369 through 9C

491 cuts or other means. Funds reallocated by the Governor to transit authorities in large or small
492 urbanized areas within the State shall be used by the transit authority to establish grants through
493 the Federal Transit Administration system, incur expenses and seek reimbursement in
494 compliance with all Federal Transit Administration regulations and guidelines. The Governor,
495 through the secretary of administration and finance, shall provide the comptroller with a certified
496 accounting of reallocated urbanized area formula funds, State transportation funding reductions,
497 and earned private transportation provider payments. The comptroller shall transfer to the
498 Federal Transit Funding Maximization Fund without further appropriation, sufficient funds to
499 provide for the full earned payment compensation of private transportation providers, after
500 verifying an equal reduction to the Commonwealth Transportation Fund, item 1595-6369 has
501 occurred. Within thirty days of deposit, MassDOT shall transfer funds, without further
502 appropriation, from the Federal Transit Funding Maximization Fund to the participating transit
503 authority for the purpose of processing private transportation provider earned payments in
504 compliance with this section. Such incentive payments to participating private transportation
505 providers shall be known as "provider participation payments" and shall be used by the private
506 transportation provider to offset the cost of reporting transportation data to the Federal Transit
507 Administration National Transit Database and to enhance transportation services. In order to be
508 eligible for provider participation payments, the private transportation provider must continue
509 reporting transportation data, which is accepted and approved by the Federal Transit
510 Administration National Transit Database.

511 The Cape Cod Regional Transit Authority and the Southeastern Regional Transit
512 Authority shall report, not later than March 31st of each year for the prior federal fiscal year
513 ending September 30th, to the secretary of administration and finance, the chairs of the house

514 and senate committees on ways and means, and the house and senate chairs of the joint
515 committee on transportation on the results and operations of the Federal Transit Funding
516 Maximization Program authorized by this section. Such information shall detail the following:
517 total federal transit urbanized area formula program funding resulting from private transportation
518 provider reporting; additional/new fiscal year federal transit urbanized area formula program
519 funding resulting from private transportation provider reporting; total federal transit urbanized
520 area formula program funding transferred by the transit authority to the Governor and subsequent
521 transfers by the Governor to transit authorities in large or small urbanized areas within the State;
522 funds transferred by the comptroller.

523 SECTION 17. Notwithstanding the first sentence of subsection (a) of section 39M of
524 chapter 30 of the General Laws, a transportation or public works project subject to award under
525 said section 39M of said chapter 30 by a department, agency or authority of the commonwealth
526 that is expected to interfere with the movement of traffic or the traveling public may, in the
527 discretion of the awarding authority, be procured through a bidding method that awards the
528 project to the responsible and eligible bidder with the lowest bid value after taking into account
529 the amount of time that the bidder has identified in the bid for completion of the project,
530 hereinafter referred to as cost-plus-time bidding; provided, however, that such awarding
531 authority may reject any bid if it is in the public interest to do so. The Secretary of
532 Transportation shall promulgate rules and regulations necessary to implement this section.

533 The provisions of the General Laws generally applicable to public works projects
534 including, but not limited to, sections 26, 27, 27A, 27B, 27C, 27D, 27F and 34A of chapter 149
535 of the General Laws and sections 39F, 39G, 39H, 39J, 39K, 39M except the first sentence of

536 subsection (a), 39N, 39O, 39P and 39R of chapter 30 shall apply to all public works projects
537 using the cost-plus-time bidding procurement method provided in this section.

538 SECTION 18. To meet any or all expenditures necessary in carrying out section 2, the
539 state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in
540 an amount to be specified by the governor from time to time but not exceeding, in the aggregate,
541 \$1,120,000,000. All bonds issued by the commonwealth pursuant to this section shall be
542 designated on their face, Commonwealth Transportation Improvement Act of 2019, and shall be
543 issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to
544 the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution.
545 All such bonds shall be payable not later than June 30, 2059. All interest and payments on
546 account of principal on these obligations shall be payable from the General Fund or the
547 Commonwealth Transportation Fund.

548 SECTION 19. To meet any or all expenditures necessary in carrying out sections 2A to
549 2B inclusive, the state treasurer shall, upon request of the governor, issue and sell bonds of the
550 commonwealth in an amount to be specified by the governor from time to time but not
551 exceeding, in the aggregate, \$3,720,000,000. All bonds issued by the commonwealth pursuant to
552 this section shall be designated on their face, Commonwealth Transportation Improvement Act
553 of 2019, and shall be issued for a maximum term of years, not exceeding 30 years, as the
554 governor may recommend to the general court pursuant to section 3 of Article LXII of the
555 Amendments to the Constitution. All such bonds shall be payable not later than June 30, 2059.
556 All interest and payments on account of principal on these obligations shall be payable from the
557 General Fund or the Commonwealth Transportation Fund.

558 SECTION 20. Notwithstanding any general or special law to the contrary and to meet a
559 portion of the expenditures necessary in carrying out section 2C, the state treasurer shall, upon
560 request of the governor, issue and sell federal grant anticipation notes of the commonwealth in an
561 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
562 \$1,250,000,000. Notes issued under this section shall be in addition to those notes previously
563 issued under section 9 of chapter 11 of the acts of 1997, section 7 of chapter 233 of the acts of
564 2008, and under section 53A of chapter 29 of the General Laws to refund, in part, such
565 previously issued notes. Notes issued under this section and the interest thereon shall be special
566 obligations of the commonwealth secured by the Federal Highway Grant Anticipation Note Trust
567 Fund established in section 10 of said chapter 11 of the acts of 1997. Sections 10, 10A and 10B
568 of said chapter 11 shall apply to the notes issued under this section in the same manner and with
569 the same effect as set forth in said sections 10, 10A and 10B with respect to the notes previously
570 issued under section 9 of said chapter 11 and section 53A of chapter 29 of the General Laws,
571 except as otherwise provided in a trust agreement pertaining to the notes authorized under this
572 section; provided, however, that any pledge of federal highway construction funds and other
573 funds to secure the notes issued under this section may be subordinate to such prior pledged
574 funds. The notes shall not be included in the computation of outstanding bonds for purposes of
575 the limit imposed by the second paragraph of section 60A of chapter 29 of the General Laws, nor
576 shall debt service with respect to such bonds be included in the computation of the limit imposed
577 by section 60B of said chapter 29.

578 The notes authorized under this section shall be designated on their face, Next Generation
579 Bridge Improvement Act of 2019, and shall be issued and may be renewed for such maximum
580 terms of years, not exceeding 20 years, as the governor may recommend to the general court in

581 accordance with Section 3 of Article LXII of the Amendments to the Constitution of the
582 commonwealth; provided, however, that the final maturity of such notes, whether original or
583 renewal, shall be not later than June 30, 2049.

584 A trust agreement entered into with respect to notes authorized under this section shall be
585 considered to be a trust agreement under section 10B of chapter 11 of the acts of 1997. The
586 principal or purchase price of, redemption premium, if any, and interest on notes issued
587 hereunder, fees and expenses related to those notes, deposits to reserves, if any, under such trust
588 agreement or such credit enhancement agreement and any reimbursement amounts shall be
589 considered to be trust agreement obligations for purposes of sections 10A and 10B of said
590 chapter 11.

591 Notwithstanding any general or special law to the contrary, the commonwealth shall
592 covenant with the purchasers and all subsequent owners and transferees of any notes issued
593 under this section that while any note shall remain outstanding and any trust agreement
594 obligation remains unpaid, federal highway construction trust funds shall not be diverted from
595 the purposes identified in said section 10B of said chapter 11, except as provided in the trust
596 agreement or credit enhancement agreement relating thereto, nor shall the trusts with which they
597 are impressed be broken, and the pledge and dedication in trust of these funds shall continue
598 unimpaired and unabrogated.

599 Notwithstanding any general or special law to the contrary, the trust and the Federal
600 Highway Grant Anticipation Note Trust Fund, each established in accordance with section 10 of
601 said chapter 11, shall terminate on the date of the final payment or defeasance in full by the
602 commonwealth of all trust agreement obligations under said section 10 and this section.

603 SECTION 21. To meet the expenditures necessary in carrying out section 2D, the state
604 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
605 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
606 \$790,000,000. All bonds issued by the commonwealth pursuant to this section shall be
607 designated on their face, Commonwealth Transportation Improvement Act of 2019, and shall be
608 issued for a maximum term of years, not exceeding 20 years, as the governor may recommend to
609 the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution.
610 All such bonds shall be payable not later than June 30, 2049. All interest and payments on
611 account of principal on these obligations shall be payable from the General Fund or the
612 Commonwealth Transportation Fund.

613 SECTION 22. To meet the expenditures necessary in carrying out section 2E, the state
614 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
615 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
616 \$5,755,000,000. All bonds issued by the commonwealth under this section shall be designated on
617 their face, Commonwealth Transportation Improvement Act of 2019, and shall be issued for a
618 maximum term of years, not exceeding 30 years, as the governor may recommend to the general
619 court under section 3 of Article LXII of the Amendments to the Constitution. All such bonds
620 shall be payable not later than June 30, 2059. Bonds and interest thereon issued under this
621 section shall be general obligations of the commonwealth; provided, however, that any bonds
622 issued by the state treasurer under this section shall, upon the request of the governor, be issued
623 as special obligation bonds pursuant to section 20 of chapter 29 of the General Laws; provided
624 further, that in deciding whether to request the issuance of particular bonds as special
625 obligations, the governor shall take into account: (1) generally prevailing financial market

626 conditions; (2) the impact of each approach on the overall capital financing plans and needs of
627 the commonwealth; (3) any ratings assigned to outstanding bonds of the commonwealth and any
628 ratings expected to be assigned by any nationally-recognized credit rating agency to the bonds
629 proposed to be issued; and (4) any applicable provisions of a trust agreement or credit
630 enhancement agreement entered into pursuant to said section 20 of said chapter 29. All special
631 obligation revenue bonds issued pursuant to this section shall be designated on their face,
632 Commonwealth Rail Enhancement Act of 2019, and shall be issued for a maximum term of
633 years, not exceeding 30 years, as the governor may recommend to the general court pursuant to
634 section 3 of Article LXII of the Amendments to the Constitution; provided, however, that all
635 such bonds shall be payable not later than June 30, 2059. All interest and payments on account of
636 these obligations shall be payable from the Commonwealth Transportation Fund and shall be
637 payable solely in accordance with said section 20 of said chapter 29, and such bonds shall not be
638 included in the computation of outstanding bonds for purposes of the limit imposed by the
639 second paragraph of section 60A of chapter 29 of the General Laws, nor shall debt service with
640 respect to such bonds be included in the computation of the limit imposed by section 60B of said
641 chapter 29.

642 SECTION 23. To meet the expenditures necessary in carrying out section 2F, the state
643 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
644 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
645 \$150,000,000. All bonds issued by the commonwealth pursuant to this section shall be
646 designated on their face, Commonwealth Transportation Improvement Act of 2019, and shall be
647 issued for a maximum term of years, not exceeding 20 years, as the governor may recommend to
648 the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution.

649 All such bonds shall be payable not later than June 30, 2049. All interest and payments on
650 account of principal on these obligations shall be payable from the General Fund or the
651 Commonwealth Transportation Fund.

652 SECTION 24. To meet the expenditures necessary in carrying out section 2G, the state
653 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
654 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
655 \$725,000,000. All bonds issued by the commonwealth pursuant to this section shall be
656 designated on their face, Commonwealth Transportation Improvement Act of 2019, and shall be
657 issued for a maximum term of years, not exceeding 10 years, as the governor may recommend to
658 the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution.

659 All such bonds shall be payable not later than June 30, 2039. All interest and payments on
660 account of principal on these obligations shall be payable from the General Fund or the
661 Commonwealth Transportation Fund.

662 SECTION 25. To meet the expenditures necessary in carrying out section 2H, the state
663 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
664 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
665 \$50,000,000. All bonds issued by the commonwealth pursuant to this section shall be designated
666 on their face, Commonwealth Transportation Improvement Act of 2019, and shall be issued for a
667 maximum term of years, not exceeding 5 years, as the governor may recommend to the general
668 court pursuant to section 3 of Article LXII of the Amendments to the Constitution. All such
669 bonds shall be payable not later than June 30, 2034. All interest and payments on account of
670 principal on these obligations shall be payable from the General Fund or the Commonwealth

671 Transportation Fund. Bonds and interest thereon issued pursuant to this section shall be general
672 obligations of the commonwealth.

673 SECTION 26 Notwithstanding any general or special law to the contrary, bonds and
674 interest thereon issued under sections 18, 19, 21, 23, and 24 of this act shall be general
675 obligations of the commonwealth; provided, however, that any bonds issued by the state
676 treasurer under said sections 18, 19, 21, 23, and 24 shall, upon the request of the governor, be
677 issued as special obligation bonds pursuant to section 20 of chapter 29 of the General Laws;
678 provided further, that in deciding whether to request the issuance of particular bonds as special
679 obligations, the governor shall take into account: (1) generally prevailing financial market
680 conditions; (2) the impact of each approach on the overall capital financing plans and needs of
681 the commonwealth; (3) any ratings assigned to outstanding bonds of the commonwealth and any
682 ratings expected to be assigned by any nationally-recognized credit rating agency to the bonds
683 proposed to be issued; and (4) any applicable provisions of a trust agreement or credit
684 enhancement agreement entered into pursuant to said section 20 of said chapter 29. All interest
685 and payments on account of obligations issued under this section as special obligation bonds
686 pursuant to said section 20 of said chapter 29 shall be payable from the Commonwealth
687 Transportation Fund solely in accordance with said section 20 of said chapter 29, and such
688 bonds shall not be included in the computation of outstanding bonds for purposes of the limit
689 imposed by the second paragraph of section 60A of chapter 29 of the General Laws, nor shall
690 debt service with respect to such bonds be included in the computation of the limit imposed by
691 section 60B of said chapter 29.

692 SECTION 27. Notwithstanding any provision of section 20 to the contrary, the state
693 treasurer shall, upon the request of the governor, issue any portion of the amount authorized to be

694 issued as federal grant anticipation notes under said section 17 as special obligation bonds in
695 addition to the amount authorized in said section 22 and otherwise pursuant to said section 22;
696 provided, that no bonds shall be issued under this section unless the governor determines that
697 issuing bonds or notes under this section instead of as authorized under said section 20 is
698 necessary or is in the best financial interests of the commonwealth based on their consideration
699 of: (i) the commonwealth's authority under federal law to issue federal grant anticipation notes
700 pursuant to said section 101; (ii) generally prevailing financial market conditions; (iii) the impact
701 of each financing approach on the overall capital financing plans and needs of the
702 commonwealth; (iv) any ratings assigned to outstanding bonds of the commonwealth and any
703 ratings expected to be assigned by any nationally-recognized credit rating agency to the bonds or
704 notes proposed to be issued; and (v) any applicable provisions of chapter 29 of the General
705 Laws.

706 SECTION 28. Notwithstanding any general or special law to the contrary, capital
707 appropriations made pursuant to section 2 and sections 2A to 2H, inclusive, shall be available for
708 expenditure in the 10 fiscal years following June 30 of the calendar year in which the
709 appropriation is made and any portion of such appropriation representing encumbrances
710 outstanding on the records of the comptroller's office at the close of the tenth fiscal year may be
711 applied to the payment thereof any time thereafter. The unencumbered balance shall revert to the
712 commonwealth at the close of the tenth fiscal year.

713 SECTION 29. Notwithstanding any general or special law to the contrary, in carrying
714 out this act, the Massachusetts Department of Transportation may enter into contracts,
715 agreements or transactions that may be appropriate with other federal, state, local or regional
716 public agencies or authorities. The contracts, agreements or transactions may relate to such

717 matters as the department shall determine including, without limitation, the research, design,
718 layout, construction, reconstruction or management of construction of all or a portion of these
719 projects. In relation to any such contracts, agreements or transactions, the department may
720 advance monies to such agencies or authorities, without prior expenditure by the agencies or
721 authorities, and the agencies and authorities may accept monies necessary to carry out these
722 agreements; provided, however, the department shall certify to the comptroller the amounts so
723 advanced and these agreements shall contain provisions satisfactory to the department for the
724 accounting of monies expended by any other agency or authority. All monies not expended
725 under these contracts, agreements or transactions shall be credited to the account of the
726 department from which they were advanced.

727 SECTION 30. (a) Notwithstanding any general or special law to the contrary, the
728 Massachusetts Department of Transportation shall expend the sums authorized in sections 2
729 through 2C, inclusive, and section 2G, for the following purposes: projects for the laying out,
730 construction, reconstruction, resurfacing, relocation or necessary or beneficial improvement of
731 highways, bridges, bicycle paths or facilities, on-street and off-street bicycle projects, sidewalks,
732 telecommunications, parking facilities, auto-restricted zones, scenic easements, grade crossing
733 eliminations and alterations of other crossings, traffic safety devices on state highways and on
734 roads constructed pursuant to clause (b) of the second paragraph of section 4 of chapter 6C of the
735 General Laws, highway or mass transportation studies including, but not limited to, traffic,
736 environmental or parking studies, the establishment of school zones pursuant to section 2 of
737 chapter 85 of the General Laws, improvements on routes not designated as state highways
738 without assumption of maintenance responsibilities, projects to alleviate contamination of public
739 and private water supplies caused by the department's storage and use of snow removal

740 chemicals which are necessary for the purposes of highway safety, for the relocation of persons
741 or businesses or for the replacement of dwellings or structures including, but not limited to,
742 providing last resort housing under federal law and any functional replacement of structures in
743 public ownership that may be necessary for the foregoing purposes and for relocation benefits to
744 the extent necessary to satisfy the requirements of the Uniform Relocation Assistance and Real
745 Property Acquisition Policies Act of 1970, 42 U.S.C. 4601 et seq., Public Law 97-646 and to sell
746 any structure the title to which has been acquired for highway purposes. Environmental studies
747 conducted pursuant to this subsection may include an assessment of both existing and proposed
748 highway rest stop facilities to determine the cost-effectiveness of sanitary facilities that use zero-
749 pollution discharge technologies, including recycling greywater systems. When dwellings or
750 other structures are removed in furtherance of any of these projects, the excavations or cellar
751 holes remaining shall be filled in and brought to grade within 1 month after the removal. In
752 planning projects funded by section 2A, consideration shall be made, to the extent feasible, to
753 accommodate and incorporate provisions to facilitate the use of bicycles and walking as a means
754 of transportation. Nothing in this section shall be construed to give rise to enforceable legal
755 rights in any party or a cause of action or an enforceable entitlement as to the projects described
756 in this section.

757 (b) Funds authorized in said sections 2A and 2B shall, except as otherwise specifically
758 provided in this act, be subject to the first paragraph of section 6 and sections 7 and 9 of chapter
759 718 of the acts of 1956, if applicable, and, notwithstanding any general or special law to the
760 contrary, may be used for the purposes stated in this act in conjunction with funds of cities,
761 towns and political subdivisions.

762 (c) The Massachusetts Department of Transportation may: (i) expend funds made
763 available by this act to acquire from a person by lease, purchase, eminent domain pursuant to
764 chapter 79 of the General Laws or otherwise, land or rights in land for parking facilities adjacent
765 to a public way to be operated by the department or under contract with an individual; (ii)
766 expend funds made available by this act for the acquisition of van-type vehicles used for multi-
767 passenger, commuter-driven carpools and high-occupancy vehicles including, but not limited to,
768 water shuttles and water taxis; and (iii) pursuant to all applicable state and federal laws and
769 regulations, exercise all powers and do all things necessary and convenient to carry out this act.

770 (d) The Massachusetts Department of Transportation may enter into contracts or
771 agreements with cities to mitigate the effects of projects undertaken pursuant to this act and to
772 undertake additional transportation measures within the city and may enter into contracts,
773 agreements or transactions with other federal, state, local or regional public agencies, authorities,
774 nonprofit organizations or political subdivisions that may be necessary to implement these
775 contracts or agreements with cities. Cities and other state, local or regional public agencies,
776 authorities, nonprofit organizations or political subdivisions may enter into these contracts,
777 agreements or transactions with the department. In relation to these agreements, the department
778 may advance to these agencies, nonprofit organizations, political subdivisions or authorities,
779 without prior expenditure by the agencies, nonprofit organizations, political subdivisions or
780 authorities, monies necessary to carry out these agreements; provided however, that the
781 department shall certify to the comptroller the amount so advanced and all monies not expended
782 under these agreements shall be credited to the account of the department from which they were
783 advanced. The department shall report to the house and senate committees on ways and means
784 on any transfers completed pursuant to this subsection.

785 SECTION 31. Notwithstanding any general or special law to the contrary, the
786 Massachusetts Department of Transportation shall take all necessary actions to secure federal
787 highway or transportation assistance that is or may become available to the department
788 including, but not limited to, actions authorized pursuant to or in compliance with any of the
789 following: Title 23 of the United States Code; the Surface Transportation and Uniform
790 Relocation Act of 1987, Public Law 100-17; the Intermodal Surface Transportation Efficiency
791 Act of 1991, Public Law 102-240; the Transportation Equity Act for the 21st Century, Public
792 Law 105-178; the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy
793 for Users, Public Law 109-59; Implementing Recommendations of the 9/11 Commission Act of
794 2007, Public Law 110-53; the Moving Ahead for Progress in the 21st Century Act of 2012,
795 Public Law 112-141; Fixing America’s Surface Transportation Act of 2015, Public Law 114-94;
796 and any successor or reauthorizations of those acts, and such actions, including filing
797 applications for federal assistance, supervising the expenditure of funds under federal grants or
798 other assistance agreements, and making any determinations and certifications necessary or
799 appropriate to the foregoing. If a federal law, administrative regulation or practice requires an
800 action relating to federal assistance to be taken by a department, agency or other instrumentality
801 of the commonwealth other than the Massachusetts Department of Transportation, the other
802 department, agency or instrumentality shall take such action.

803 SECTION 32. Notwithstanding any general or special law to the contrary, the
804 unexpended balances of all capital accounts authorized in chapter 86 of the acts of 2008, chapter
805 233 of the acts of 2008, chapter 303 of the acts of 2008, chapter 10 of the acts of 2011, chapter
806 133 of the acts of 2012, chapter 242 of the acts of 2012, chapter 79 of the acts of 2014, chapter
807 209 of the acts of 2018, and chapter 16 of the acts of 2019, which otherwise would revert on or

808 before June 30, 2020, but which are necessary to fund obligations during fiscal years 2020
809 through 2024, inclusive, are hereby reauthorized through June 30, 2024.

810 SECTION 33. Notwithstanding any general or special law or regulation to the contrary,
811 the Massachusetts Department of Transportation is hereby authorized to expend the
812 unencumbered amounts from items contained in section 2D of chapter 86 of the acts of 2008,
813 sections 2A to 2E, inclusive, of chapter 303 of the acts of 2008, section 2A of chapter 79 of the
814 acts of 2014, section 2 of chapter 195 of the acts of 2014, sections 2 and 2A of chapter 237 of the
815 acts of 2014, and sections 2E and 2F of chapter 286 of the acts of 2014 for the purposes
816 authorized in sections 2A, 2B and 2D through 2G, inclusive, of this act; provided, that the
817 aggregate amount expended under this section for purposes under section 2A shall not exceed
818 \$1,500,000,000; provided further, that the aggregate amount expended under this section for
819 purposes under section 2B shall not exceed \$200,000,000; provided further, that the aggregate
820 amount expended under this section for purposes under sections 2D and 2F shall not exceed
821 \$417,000,000; provided further, that the aggregate amount expended under this section for
822 purposes under section 2E shall not exceed \$1,200,000,000; provided further, that the aggregate
823 amount expended under this section for purposes under section 2G shall not exceed 475,000,000.