

SENATE No. 2813

The Commonwealth of Massachusetts

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

SENATE, July 10, 2020.

The committee on Senate Ways and Means to whom was referred the House Bill authorizing and accelerating transportation investment (House, No. 4547) (the committee on Bonding, Capital Expenditures and State Assets having recommended that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2739); reports, recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2813. [Bond Authorization: \$16,907,900,000]

For the committee,
Michael J. Rodrigues

The Commonwealth of Massachusetts

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

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 the
3 system, the sums set forth in sections 2 to 2I, inclusive, for the several purposes and subject to
4 the conditions specified in this act, are hereby made available, subject to the laws regulating the
5 disbursement of public funds; provided, however, that the amounts specified in an item or for a
6 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, pedestrian
16 and other multi-modal facilities; provided further, that notwithstanding this act or any other

17 general or special law to the contrary, the department shall not enter into any obligations for
18 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 applies.....\$5,600,000,000

25 SECTION 2A.

26 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

27 Highway Division

28 6121-2117 For the design, construction and repair of, or improvements to, non-
29 federally aided roadway and bridge projects and for the nonparticipating portion of federally-
30 aided projects; provided, that the department may use these funds for the purchase and
31 rehabilitation of facilities, heavy equipment and other maintenance equipment; provided further,
32 that the department may use these funds for multi-modal facilities; and provided further, that the
33 amounts specified in this item for a particular project or use, if any, may be adjusted in order to
34 facilitate other projects relating to the design, construction, repair or improvement to non-
35 federally aided roadway and bridge projects.....\$2,000,000,000

36 6121-2157 For the construction, reconstruction, resurfacing, repair and improvement
37 of pavement and surface conditions on non-federally aided roadways, including, but not limited
38 to, state numbered routes and municipal roadways.....\$100,000,000

39 SECTION 2B.

40 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

41 Highway Division

42 6121-2118 For the municipal small bridge program for the purposes of design,
 43 engineering, construction, preservation, reconstruction and repair of or improvements to non-
 44 federally aided bridges and approaches meeting the criteria of the municipal small bridge
 45 program as determined by the department; provided, that expenditures from this item may
 46 include the costs of engineering, design, permitting, climate change adaptation and resilience and
 47 other services essential to projects under this item; provided further, that a city or town shall
 48 comply with the procedures established by the department with respect to the municipal small
 49 bridge program; and provided further, that no amounts appropriated under this item shall be
 50 expended for bridges or approaches owned by or under the control of the department or the
 51 Massachusetts Bay Transportation Authority.....\$70,000,000

52 6121-2127 For the purpose of implementing a program to address localized,
 53 operationally-influenced bottlenecks that negatively impact traffic flow, including, but not
 54 limited to, redesign, re-striping, lane and shoulder width adjustments, addition of auxiliary,
 55 collector and distributor lanes, signal improvements, ramp adjustments, signage and other
 56 infrastructure improvements to reduce congestion, improve traffic flow, address safety issues,
 57 and reduce idling and greenhouse gas emissions; provided, that funds may be used for the
 58 purpose of grants to municipalities; and provided further, that for communities with commuter
 59 rail stations or otherwise ready access to public transit, preference for grants shall be given to
 60 those municipalities that encourage the production of transit-oriented development, including

61 multifamily housing, near
62 transit.....\$50,000,000

63 6121-2128 For the construction, reconstruction, resurfacing, repair and improvement
64 of pavement and surface conditions on municipal roadways; provided, that expenditures from
65 this item may include the costs of engineering, design, permitting, climate change adaptation and
66 resilience and other services essential to projects under this item; provided further, that funds
67 may be expended from this item for matching grants to municipalities; provided further, that the
68 department may use these funds for improving the condition of bicycle and pedestrian
69 accommodations related to such roadway projects consistent with principles of the complete
70 streets program established under chapter 90I of the General Laws when feasible; provided
71 further, that in connection with a grant under this item, a city or town shall comply with the
72 procedures established by the department with respect to municipal roadways in the pavement
73 improvement program; and provided further, that for communities with commuter rail stations or
74 otherwise ready access to public transit, preference for grants shall be given to those
75 municipalities that encourage the production of transit-oriented development, including
76 multifamily housing, near transit\$100,000,000

77 6121-2138 For the complete streets program established under chapter 90I of the
78 General Laws for complete streets grants to municipalities.....\$20,000,000

79 6622-2187 For the purpose of implementing a program for transit-supportive
80 infrastructure, including, but not limited to, dedicated bus lanes, signal prioritization, shelters,
81 lighting, signage, repairs and other improvements, technology and accessibility features and
82 other infrastructure elements; provided, that projects may be used to improve and facilitate more

83 efficient delivery of transit operations, encourage municipal investment and support of transit
84 facilities, benefit passenger experience and enhance transit rider and pedestrian service and
85 safety; provided, further that funds may be used for the purpose of grants to municipalities for
86 the construction or physical demarcation of bus rapid transit lanes, the construction of catenary
87 wires for electric trolley buses, equipment for transit signal prioritization, the construction of
88 curb extensions or improvements at bus stops or bus stations situated in medians of existing
89 rights of way and shelters and benches at bus stops; and provided further, that for communities
90 with commuter rail stations or otherwise ready access to public transit, preference for grants shall
91 be given to those municipalities that encourage the production of transit-oriented development,
92 including multifamily housing, near transit.....\$30,000,000

93 SECTION 2C.

94 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

95 Highway Division

96 6121-2137 For the construction, reconstruction, resurfacing, repair and improvement
97 of bridges, approaches and related infrastructure, including elements that improve access for all
98 modes; provided, that expenditures from this item may include the costs of engineering, design,
99 permitting, climate change adaptation and resilience and other services essential to projects
100 under this item.....\$1,250,000,000

101 SECTION 2D.

102 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

103 Rail and Transit Division

104 6621-2117 For the purpose of implementing rail improvements pursuant to chapter
105 161C of the General Laws; provided, that funds may also be used for transportation planning,
106 design, permitting, acquisition of interests in land and engineering for rail projects, including the
107 industrial rail access program; provided further, that the department may use funds from this
108 item for the costs of engineering and other services essential to these projects; and provided
109 further, that the department may use these funds for a particular project or use may be adjusted in
110 order to facilitate other projects.....\$400,000,000

111 6622-2117 For the purposes of chapter 161B of the General Laws, including, but not
112 limited to, projects that may maintain and improve the overall condition, reliability and
113 resiliency of regional transit networks and facilities, including the purchase and rehabilitation of
114 rolling stock, low or no emission vehicles and other infrastructure and equipment required to
115 support such rolling stock, related assets and support equipment, rehabilitation of regional transit
116 authority facilities, including maintenance, and passenger facilities and purchase of related
117 appurtenances, equipment, technology and tools; provided, that funds may be expended for the
118 purchase or rehabilitation of vehicles of all sizes to better reflect and accommodate rider
119 demand.....\$330,000,000

120 6622-2127 For the purposes of implementing the mobility assistance program
121 pursuant to section 13 of chapter 637 of the acts of 1983 and regional intercity bus and
122 intermodal service; provided, that funds may also be used for transportation planning, design,
123 permitting, acquisition of interests in land and engineering for bus and other transit
124 projects.....\$60,000,000

125 SECTION 2E.

126 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

127 Office of the Secretary

128 6621-2108 For the purpose of implementing sustainable transit system modernization
129 investments and rail improvements pursuant to chapter 161A of the General Laws; provided, that
130 funds may be used for transportation planning, design, permitting and engineering, right-of-way
131 acquisition, acquisition of interests in land, vehicle procurement, construction and climate
132 change adaptation and resilience improvements, including, but not limited to, construction,
133 reconstruction, retrofitting, resilience, efficiency improvements and modernization of stations,
134 signals, tracks, power and electrical systems, planning, design, permitting and engineering,
135 acquisition of interests in and rights to land, construction and reconstruction, improvement,
136 expansion, renovation, repair, relocation and equipping of maintenance and storage facilities,
137 including, but not limited to, technology to support and service battery electric, hybrid and other
138 low emission transit vehicles, and for heavy rail, light rail and bus projects, which projects shall
139 include, but shall not be limited to, the red line, orange line, green line, silver line and blue line,
140 including feasibility and planning studies and capital support for pilot services; provided further,
141 that funds may be used for modernizing the bus fleet and associated infrastructure of the
142 Massachusetts Bay Transportation Authority system, including, but not limited to,
143 implementation of the so-called Better Bus Project; provided further, that funds may be used for
144 the purpose of implementing the green line transformation program including, but not limited to,
145 planning, design and procurement of rolling stock to improve service and reliability, enhance
146 rider accessibility and increase capacity; provided further, that funds may be used for the
147 purchase and rehabilitation of heavy equipment and other maintenance equipment; provided
148 further, that funds may be used for safety, accessibility and security equipment and

149 improvements, energy efficiency, climate change adaptation and emergency preparedness,
150 bicycle and pedestrian access improvements and so-called “last mile” capital improvements;
151 provided further, that funds shall be expended for the design and construction of signalization
152 improvements located along the blue line in the city of Boston between the Bowdoin and
153 Wonderland stations; provided further, that funds shall be expended for the design and
154 construction of a commuter rail station at Wonderland park on the Newburyport and Rockport
155 line in the city of Revere, together with design and construction of an enclosed pedestrian
156 connection to the Wonderland station intermodal transit facility on the blue line in the city of
157 Revere; provided further, that funds shall be expended for the purpose of implementing the blue
158 line extension to Charles/MGH station improvements; provided further, that final assembly of
159 the orange line and red line non-pilot production vehicles, as defined within the Massachusetts
160 Bay Transportation Authority’s procurement of said vehicles, shall take place in the
161 commonwealth; provided further, that funds shall be expended to purchase rolling stock for use
162 on the commuter rail system that reduces the overall environmental and emissions impact of the
163 rail network to the greatest extent possible; provided further, that funds shall be expended to
164 establish a pilot program and related capital improvements to implement dual-mode service on
165 the south side of the commuter rail system, with priority given to dual-mode service on the
166 Framingham/Worcester Line; provided further, that the Massachusetts Bay Transportation
167 Authority in evaluating proposals for the furnishing and delivery of non-pilot production vehicles
168 shall consider, among other criteria, the effect proposals will have on job creation and retention
169 in the commonwealth and how proposals will foster economic development in the
170 commonwealth; provided further, that funds may also be used for transportation planning,
171 design, permitting, the procurement of electric multiple units, infrastructure improvements,

172 technology and equipment necessary to support new or modified commuter rail service models,
173 safety features and passenger enhancements; provided further, that funds may be used for
174 construction, reconstruction, retrofitting, resilience, efficiency improvements and modernization
175 of stations, platforms, signals, tracks, power and electrical systems; provided further, that the
176 department may use funds from this item for the costs of engineering and other services essential
177 to these projects; provided further, that the relative weight of all the criteria used for the selection
178 of the red line and orange line vehicle proposals shall be determined by the Massachusetts Bay
179 Transportation Authority; provided further, that funds may be expended to purchase additional
180 land or repurpose existing space to increase parking capacity at heavily congested commuter rail
181 stations and may be made available as grants to municipalities for the same purpose; provided
182 further, that not less than \$150,000,000 shall be expended for station renovations and the
183 installment of electric gantries for service electrification from North station to Beverly station;
184 provided further, that not less than \$2,500,000 shall be expended on code and accessibility
185 improvements at the Beachmont station in the city of Revere; and provided further, that not less
186 than \$10,000,000 shall be expended for the design and construction of a South Salem commuter
187 rail station on the Newburyport and Rockport line in the city of Salem.....\$3,260,000,000

188 6622-2137 For the purpose of implementing rail improvements pursuant to chapter
189 161A of the General Laws, including, but not limited to, projects that maintain the overall state
190 of good repair and reliability of rail, subway and bus services; provided, that funds may be
191 expended for necessary and routine system preservation activities designed primarily to bring
192 existing transportation assets up to an acceptable level of condition; provided further, that funds
193 may be used for transportation planning, design, permitting and engineering, right-of-way
194 acquisition, acquisition of interests in land, vehicle procurement and overhaul, vehicle storage

195 and maintenance facilities, construction, repair and improvement of stations, parking structures,
196 signals, track and electrical systems associated with all commuter rail, heavy rail, light rail and
197 bus operations; provided further, that funds may be used for the purchase and rehabilitation of
198 heavy equipment and other maintenance equipment; and provided further, that projects to replace
199 or rehabilitate existing assets shall seek to substantially modernize these assets where deemed
200 feasible, appropriate and cost effective.....\$300,000,000

201 6622-2181 For the purpose of implementing South Coast Rail improvements;
202 provided, that not more than \$100,000,000 shall be used to mitigate the impact of the South
203 Coast Rail project on communities in accordance with section 38 of chapter 79 of the acts of
204 2014; provided further, that any new or existing rail station receiving South Coast Rail service
205 shall comply with the federal Americans with Disabilities Act of 1990, as amended; and
206 provided further, that not less than \$25,000,000 shall be expended for the design and
207 construction of a commuter rail intermodal station downtown at the New Bedford station on the
208 South Coast Rail line in the city of New Bedford.....\$850,000,000

209 6622-2182 For the purpose of implementing the green line extension improvements;
210 provided, that funds may be used for transportation planning, design, permitting and engineering,
211 acquisition of interests in land, vehicle procurement, construction, construction of stations and
212 right-of-way acquisition; provided further, that \$100,000,000 shall be authorized for GLX Phase
213 II, with not more than \$5,000,000 for Environmental Impact Review; and provided further, that
214 said environmental review shall be completed by December 31, 2020.....\$695,000,000

215 6622-2183 For the purpose of implementing improvements at South station in the city
216 of Boston, including modernization of the signal system and for modernizing the commuter rail

217 system and commuter rail system components; provided, that funds may be expended for
218 projects, including, but not limited to, planning, design and acquisition of commuter rail
219 passenger coaches and locomotives, infrastructure improvements, technology and equipment
220 necessary to support new or modified commuter rail service models, safety features and
221 passenger enhancements; provided further, that funds may be expended for capital costs
222 associated with infrastructure and equipment to leverage innovative financing and partnership
223 approaches; provided further, that funds may be used for planning and feasibility studies and the
224 capital costs of pilot projects to test new service models such as regional rail and urban rail;
225 provided further, that funds may be used for transportation planning, design, permitting and
226 engineering, acquisition of rights of way and interests in land, construction and reconstruction of
227 stations and other facilities; and provided further, that not less than \$25,000,000 shall be
228 expended on the design and engineering of transportation improvements along the waterfront in
229 the South Boston section of the city of Boston taking into consideration the recommendations of
230 the South Boston Waterfront Sustainable Transportation Plan, as amended from time to
231 time.....\$400,000,000

232 6622-2184 For the purpose of implementing rail improvements pursuant to chapter
233 161C of the General Laws; provided, that not less than \$50,000,000 shall be used for
234 transportation planning, design, permitting and engineering, acquisition of interests in land,
235 vehicle procurement, construction, construction of stations and right-of-way acquisition for the
236 East-West passenger rail project, which includes Pittsfield to Boston service via Springfield,
237 Palmer, and Worcester; provided further, that said rail improvements may take the East-West
238 Passenger Rail Study conducted by the Massachusetts Department of Transportation into
239 consideration; provided further, that funding for said rail improvements may be used in

240 conjunction with any federal funding set aside for the East-West rail project; and provided
 241 further, that funds may be used for transportation planning, design, permitting and engineering,
 242 acquisition of interests in land, vehicle procurement, construction, construction of stations and
 243 right-of-way acquisition for rail projects, including Housatonic Railroad service, Boston to Cape
 244 Cod service, Fitchburg to Greenfield to North Adams service, Pittsfield to New York City
 245 service and Boston to Albany, New York service and converting the Valley Flyer Pilot Service
 246 into a permanent commuter rail service connecting the cities town of Greenfield and the cities of,
 247 Northampton, Holyoke and Springfield.....\$225,000,000

248 SECTION 2F.

249 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

250 Aeronautics Division

251 6820-2117 For the airport improvement program pursuant to section 39A of chapter
 252 90 of the General Laws, including, but not limited to, aeronautics safety and modernization
 253 improvements.....\$89,000,000

254 SECTION 2G.

255 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

256 Office of the Secretary

257 6720-2117 For transportation planning and programming related to all modes,
 258 including, but not limited to, active transportation, bicycle and pedestrian travel, rail and transit
 259 and automobiles and associated assets including, but not limited to, roads, bridges, transit
 260 facilities, shared-use paths and bicycle and pedestrian and other multi-modal facilities essential

261 to the provision of transportation services for system users; provided, that funds may be
262 expended for the maintenance, improvement and expansion of shared use paths and support for
263 multi-modal networks that may enhance mobility or promote sustainable modes of transportation
264 across the commonwealth; provided further, that funds may be expended for the acquisition of
265 information technologies that will support department data and asset management initiatives;
266 provided further, that funds may be expended for compliance with federal mandates and other
267 statutory requirements including modal studies to help establish the framework for the
268 department to adopt policies and programs to enhance delivery of services within all modes;
269 provided further, that funds may be expended to reduce energy usage, enhance climate change
270 resilience, adaptation and mitigation and support reduction of greenhouse gas emissions from
271 transportation; provided further, that this item may be used to support and leverage municipal,
272 quasi-public, nonprofit and private investments; and provided further, that \$100,000,000 may be
273 used to implement the so-called bike and pedestrian plan.....\$475,000,000

274 6720-2127 For the purpose of capital costs associated with preconstruction, planning
275 and early action capital work for the Allston Multimodal Project, including multi-modal project
276 planning and studies, the preparation of plans and specifications, design, permitting and
277 engineering, climate change adaptation and resilience, regional mobility planning, acquisition of
278 interests in land, planning and siting of rail and bus stations and right-of-way acquisition
279 purchases, maintenance facilities, procurement of equipment, development, mitigation,
280 implementation of information technology-related equipment, lighting, landscaping, traffic
281 improvements, bicycle and pedestrian accessibility and related capital projects in the Allston
282 section of the city of Boston; provided, that the Massachusetts Department of Transportation
283 shall utilize the city of Boston Complete Streets Guidelines for all street construction related to

284 the project; provided further, that the I-90 Allston Intermodal Task Force shall remain
285 operational through the completion of the project; provided further, that during the construction
286 of the project, 2 tracks on the Framingham/Worcester commuter rail line shall be maintained
287 with no reduction in service; provided further, prior to early action capital work or construction
288 the department shall file with the clerks of the senate and house of representatives a cost benefit
289 examination of design options for the throat area of the project, including a “no build” option
290 that rehabilitates the existing viaduct structure, upgrades its structural load capacity and
291 minimizes the disruption and duration of construction; provided further, that the cost
292 examination for each option shall include, but not be limited to, a financial plan that includes all
293 sources of funding for the project option, including any third-party contributions from
294 stakeholders who benefit from the project option, a tentative construction schedule and
295 implementation timeline and a detailed mitigation plan that shall include an analysis of key
296 metrics to evaluate the traffic and environmental impacts of the project and a detailed description
297 and necessary financial outlay of mitigation measures, including, but not limited to, necessary
298 infrastructure and capital improvements, efforts to maximize commuter rail travel, including rail
299 and signal improvements, fare strategies, third track options, raised platforms and parking and
300 capacity improvements, and additional measures to maximize traffic benefits and reduce travel
301 disruption to employees and the traveling public, including public or private shuttle service,
302 incentives for telecommuting, carpooling, or other incentive strategies designed to reduce motor
303 vehicle traffic, and a comprehensive communication and media plan; provided, further, that not
304 less than \$50,000,000 shall be expended for said mitigation measures; provided, further, that the
305 cost benefit analysis for throat design options shall be done in consultation with impacted
306 stakeholders, including, but not limited to, Allston Multimodal task force members, the Greater

307 Boston Chamber of Commerce, the Corridor 9/495 Regional Chamber of Commerce, Inc., the
308 Worcester Regional Chamber of Commerce, the Central Massachusetts Regional Planning
309 Commission, the MetroWest Regional Transit Authority, the Worcester Regional Transit
310 Authority, the Worcester Regional Research Bureau, Inc. and the 495/MetroWest Partnership.
311\$250,000,000

312 SECTION 2H.

313 EXECUTIVE OFFICE OF TECHNOLOGY SERVICES AND SECURITY

314 Office of the Secretary

315 1790-2019 For costs associated with pilot programs, planning and studies, the
316 preparation of plans and specifications, design, development, acquisition and implementation of
317 information technology-related equipment, hardware, software, devices, cybersecurity,
318 communications systems, safety and accessibility technologies and data solutions, including, but
319 not limited to, so-called intelligent transportation infrastructure projects for the Massachusetts
320 Department of Transportation.....\$50,000,000

321 SECTION 2I.

322 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

323 Office of the Secretary

324 6921-2109 For a public realm improvement program; provided, that funds shall be
325 used for the purpose of grants to municipalities for improvements to sidewalks, curbs, streets,
326 and parking spaces to create additional capacity for pedestrians and cyclists and reimagine and

327 repurpose street space in response to the 2019 novel coronavirus to support public health, safe
328 mobility and renewed commerce.....\$20,000,000

329 6921-2114 For grants to municipalities and regional transit authorities for the
330 planning, study, training, installation of related infrastructure and purchase of electric vehicles
331 and light, medium and heavy duty vehicles belonging to 1 of the following classes: (i) plug-in
332 hybrid electric vehicles; (ii) battery electric vehicles; or (iii) other zero-emission vehicles;
333 provided, that funds may be expended under this item to cover up to the full cost of a
334 vehicle.....\$50,000,000

335 6921-2115 For transportation improvement projects; provided, that not less than
336 \$13,500,000 shall be expended for traffic signal and safety improvements at interchange 17 on
337 interstate 90; provided further, that not less than \$100,000,000 shall be expended for the
338 construction of a new four-lane bridge across the Merrimack river in the city of Lowell to replace
339 the temporary two-lane Rourke bridge; provided further, that not less than \$108,000,000 shall be
340 expended for the purpose of implementing the MassDOT project, pursuant to chapter 272 of the
341 acts of 2014, including the planning, design, development and construction of the relocation of a
342 portion of Storrow drive and its access ramps to Charles circle as necessary to consolidate the
343 westbound lanes of Storrow drive with the eastbound lanes under a single arch of the Longfellow
344 bridge and the restoration to parkland and gardens to standards approved by the department of
345 the open space created by the consolidation that is contiguous with the Esplanade parkland;
346 provided further, that not less than \$10,000,000 shall be expended for the design and
347 reconstruction of the route 117 bridge in the city of Waltham; provided further, that not less than
348 \$1,200,000 shall be expended for streetscape and roadway improvements to Drury square in the
349 town of Auburn; and provided further, that not less than \$1,200,000 shall be expended for

350 sidewalk improvements, the restoration of George Hill road and the design and construction of
351 Westboro road in the town of Grafton.....\$233,900,000

352 SECTION 3. Section 6A of chapter 6C of the General Laws, as appearing in the 2018
353 Official Edition, is hereby amended by striking out clauses 8 to 10, inclusive, and inserting in
354 place thereof the following 2 clauses:- (8) for the Mass Transit division, an increase in the on-
355 time performance percentage for each transit authority of at least 2 per cent for each rolling 5-
356 year period until that percentage reaches 98 per cent; and (9) for the Mass Transit division, an
357 increase of at least 5 per cent in the revenue miles per active vehicle reported to the Federal
358 Transit Administration for each transit authority for each rolling 5-year period.

359 SECTION 4. Said chapter 6C is hereby further amended by adding the following 3
360 sections:-

361 Section 77. (a) As used in this section, the following words shall have the following
362 meanings unless the context clearly requires otherwise:

363 “Adjustment Factor”, the job order contractor’s competitively bid numerical adjustment
364 applied to the unit prices included in the contract specifications, which shall also include
365 overhead and profit.

366 “Authority”, the Massachusetts Bay Transportation Authority established in section 2 of
367 chapter 161A.

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

370 “Job order”, an agreed-upon, fixed-price order issued by the department or by the
371 authority to a contractor pursuant to a job order contract for the contractor’s performance of a
372 specific construction, demolition, reconstruction, alteration, remodeling or repair project of a
373 public work consisting of tasks selected from those specified and priced in that job order
374 contract.

375 “Job order contract”, a contract for the performance of construction, demolition,
376 reconstruction, alteration, remodeling or repair of a public work, or a subset thereof: (i) that is
377 limited to a specified term; (ii) in which the contract specifications consist of technical
378 descriptions of various tasks, materials and equipment at stated unit prices but do not specify the
379 specific projects to be performed by the contractor; (iii) which contains a fixed contractor’s
380 adjustment factor applied to the unit prices stated in the specifications; and (iv) in accordance
381 with which the department and the authority may enter into fixed-price job orders with the
382 contractor for the performance of specific projects, consisting solely of combinations of the
383 tasks, materials and equipment specified in the contract at the unit prices specified therein
384 multiplied by the contractor’s adjustment factor.

385 “Maintenance”, routine operation, routine maintenance, routine repair, rehabilitation,
386 capital maintenance, maintenance replacement and any other categories of maintenance that may
387 be designated by the department.

388 "Task", an item of work for which a unit price is set forth in the contract specifications or
389 for which a unit price is developed in accordance with a specified formula presented in the
390 contract.

391 (b)(1) Notwithstanding section 44A of chapter 149, section 39M of chapter 30 or any
392 other general or special law to the contrary, the department and the authority may establish
393 programs for the use of job order contracts.

394 (2) As part of the programs established under paragraph (1), the department and the
395 authority may procure job order contracts for services related to the creation and use of job order
396 contracts including, without limitation, the creation of task descriptions, specifications and unit
397 prices for use in job order contracts and training and other services related to such contracts.

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

405 (c)(1) The department and the authority may procure job order contracts for projects that:
406 (i) improve access to places of public accommodation listed in section 92A of chapter 272; or (ii)
407 remove barriers and create or improve accessible features for both physical and programmatic
408 access necessary for compliance with the law, including title II of the Americans with
409 Disabilities Act, 42 U.S.C. sections 12131–12165, and the laws of the commonwealth; provided,
410 however, that a job order shall not encompass ongoing and routine maintenance performed
411 before the contract by any employee of the authority covered by a collective bargaining
412 agreement.

413 (2) Job order contracts shall be limited to job orders estimated to cost not more than
414 \$1,000,000 each and shall be procured through the procedures specified in section 39M of
415 chapter 30 except that: (i) the amount of the bid deposit shall be \$5,000; (ii) contractors who are
416 awarded job orders under any job order contract shall be certified by the division for the category
417 of work specified in the contract; and (iii) the amounts of surety bonds required by the contract
418 may be satisfied with respect to each particular job order before the commencement of any work
419 under that job order. The department and the authority shall award a job order contract to the
420 eligible and responsible bidder who offers the lowest mark-up over the base unit prices specified
421 in the contract specifications.

422 Section 78. There shall be within the department an office of rail enhancement. The
423 office shall be dedicated to improving the productivity, equity and environmental sustainability
424 of the rail system. The office shall develop and implement short-term, medium-term and long-
425 term plans for each line of the rail system based on consideration of criteria developed by the
426 department, including, but not limited to: (i) enhancing performance and ensuring that the rail is
427 fully integrated into the commonwealth's transportation system; (ii) instituting a fare and parking
428 pricing policy that is designed to reduce congestion and maximize ridership and equity; (iii)
429 ensuring vehicle parking at rail stops; (iv) increasing accessibility for people with disabilities; (v)
430 prioritizing investments and decisions that maximize ridership return on investments; and (vi)
431 reducing carbon emissions. The office shall develop and implement a stakeholder engagement
432 plan to support its mission. The office shall develop and monitor key metrics to measure
433 performance of its mission and annually make available on the department's website a public
434 report on the performance metrics and the short-term, medium-term and long-term plans for each
435 line of the rail system.

436 Section 79. There shall be within the department an office of bus transformation. The
437 office shall be dedicated to improving the productivity, equity and environmental sustainability
438 of the bus system. The office shall develop and implement short-term, medium-term and long-
439 term plans for the bus system based on consideration of criteria developed by the department,
440 including, but not limited to: (i) increasing on-time performance, including, but not limited to,
441 efforts to reduce board times and increase priority bus lanes; (ii) instituting a fare policy that
442 maximizes equity and enhances the other missions of the office; (iii) maximizing ridership return
443 on investments; (iv) improving the accessibility of the system for people with disabilities; and
444 (vi) reducing carbon emissions. The office shall develop and implement a stakeholder
445 engagement plan to support its mission. The office shall develop and monitor key metrics to
446 measure performance of its mission and annually make available on the department's website a
447 public report on the performance metrics and the short-term, medium-term and long-term plans
448 for the bus system.

449 SECTION 5. The General Laws are hereby amended by inserting after chapter 64N the
450 following chapter:-

451 CHAPTER 64O.

452 LOCAL AND REGIONAL TRANSPORTATION BALLOT INITIATIVES.

453 Section 1. As used in this chapter, the following words shall have the following meanings
454 unless the context clearly requires otherwise:

455 "District agreement", a document specifying the terms and conditions of the powers and
456 duties of at least 2 municipalities forming a district under section 4 pursuant to the laws

457 governing any such municipalities, this chapter and such procedural regulations as the
458 commissioner of revenue may promulgate.

459 “Governing body”, the city manager and city council in a city having a Plan D or Plan E
460 charter, the mayor and city council in any other city, the select board or equivalent body in
461 towns.

462 “Single subject of taxation”, sales, real or personal property, room occupancy or vehicle
463 excise.

464 “Transportation project”, a project or program for the planning, design or construction of
465 public or mass transportation transit systems, transit-oriented development, roads, bridges,
466 bikeways, pedestrian pathways or other transportation-related projects.

467 Section 2. (a) This chapter shall take effect in a city or town upon the approval of its
468 governing body and its acceptance by the voters of such city or town by a ballot question as set
469 forth in section 3.

470 (b) A city or town may impose a tax surcharge on a single subject of taxation within the
471 city or town; provided, however, that except as provided in section 4, no tax surcharge shall be
472 imposed within the city or town unless it has first been approved by the governing body of the
473 city or town and accepted by a majority of the voters of the city or town through a ballot question
474 as set forth in section 3.

475 (c) Notwithstanding chapters 59, 60A, 62 or 64H or any other general or special law to
476 the contrary, the governing body of a city or town may vote to accept this chapter authorizing a
477 surcharge on a single subject of taxation. A governing body that intends to accept this chapter

478 shall determine a single subject of taxation to be levied and the amount and rate of surcharge on
479 the single subject of taxation prior to approval by the voters. If the identified single subject of
480 taxation is a real or personal property excise, the amount of the surcharge shall not be included in
481 a calculation of total taxes assessed for purposes of section 21C of chapter 59.

482 (d) A taxpayer shall be eligible for all exemptions and abatements of any single subject of
483 taxation for which a taxpayer qualifies. A taxpayer receiving an exemption for any single subject
484 of taxation shall be exempt from any tax surcharge on any single subject of taxation established
485 under this section. The tax surcharge to be paid by a taxpayer receiving an abatement of any
486 single subject of taxation shall be reduced in proportion to the amount of such abatement.

487 (e) Any amount of the tax surcharge not paid by the due date shall bear interest at the rate
488 per annum as authorized by the law for any single subject of taxation.

489 (f) Revenues raised through the tax surcharge shall be separately accounted for and used
490 by the city or town for transportation projects.

491 Section 3. (a) Upon approval of the single subject of taxation to be levied and the amount
492 and rate of surcharge on the single subject of taxation by the governing body, the following
493 question shall be placed on the official ballot by the city or town clerk or the state secretary for
494 acceptance by the voters of the city or town at the next regularly scheduled municipal or state
495 election in the following form:--

496 “Shall the (city or town) of _____ accept sections 2 to 5, inclusive, of chapter 64O of
497 the General Laws, as approved by its (governing body), a summary of which appears below

498 (Set forth here a fair, concise summary and purpose of the law to be acted upon, as
499 determined by the city solicitor or town counsel, including the specific single subject of taxation
500 to be levied and the percentage of the surcharge to be imposed.)”

501 In the ballot question, the city or town may include a list of specific transportation
502 projects for which the tax surcharge funds may be used or a general description of the types of
503 transportation projects for which the tax surcharge may be used. The city or town may also
504 include a sunset provision in the ballot question, but the authorization for the tax surcharge shall
505 not exceed 30 years.

506 If a majority of the votes cast in answer to the question vote is in the affirmative, this
507 chapter shall take effect in the city or town, or district as set forth in section 4, but not otherwise.

508 (b) The final date for notifying or filing a petition with the city or town clerk or the state
509 secretary to place this question on the ballot shall be 60 days before the city or town election or
510 100 days before the state election. For those petitions that will appear on the ballot for the state
511 election, notice shall be provided by filing with the state secretary a certified copy of the
512 governing body’s approval and a copy of the summary as provided in subsection (a).

513 Section 4. (a) Two or more municipalities may, with the approval of the governing body
514 of each such municipality, form a district for the purposes of implementing this chapter.

515 (b) For the purposes of subsection (a), if a majority of the votes cast in the district on the
516 question in the affirmative, this chapter shall take effect in the district, but not otherwise.

517 (c) Two or more municipalities that choose to form a district under this chapter shall
518 apply a tax surcharge to their preferred single subject of taxation. The amount and percentage of
519 the tax surcharge may vary for each municipality that comprises the district.

520 (d) Two or more municipalities forming a district under this chapter shall adopt a district
521 agreement with the approval of the applicable governing bodies prior to presentment to the
522 voters of the 2 or more municipalities by a ballot question pursuant to section 3. The district
523 agreement shall specify: (i) the purpose and nature of the agreement; (ii) the single municipality
524 to serve as the treasurer of the transportation fund or the regional planning agency to serve as the
525 fiscal agent of the transportation fund under section 7 and that said municipality or regional
526 planning agency shall also serve as the treasurer or fiscal agent for purposes of section 9; (iii)
527 how the transportation fund will be used and for what purposes and how the municipalities will
528 decide on details of use, plan changes or urgent circumstances; (iv) the work to be performed and
529 the division or sharing of responsibility among the municipalities; (v) the estimated costs and the
530 methods of financing the transportation projects; (vi) the method of administration of the
531 transportation fund and the transportation projects to be paid for through the fund; (vii) the
532 composition of the district's transportation committee, the length of its term and the criteria and
533 method of selecting its members; (viii) the duration of the proposed agreement; and (ix) the
534 amount, type and percentage of the tax surcharge for each municipality that comprises the
535 district.

536 (e) Nothing in this section shall be construed to: (i) amend, repeal or otherwise alter the
537 authority or jurisdiction of, or establish, a municipality; or (ii) confer any management authority
538 over transportation projects beyond the authority exercised by participating municipalities in the
539 district agreement pursuant to this chapter.

540 Section 5. (a) Upon acceptance of this chapter, the satisfaction of the requirements of this
541 chapter and the assessors' warrant to the tax collector, the accepted tax surcharge shall be
542 imposed in the city or town. The city, town or district shall notify the commissioner of revenue
543 of the date and terms on which the voters accepted this chapter.

544 (b) For a tax surcharge levied on either the property tax or excise, after receipt of the
545 warrant, the tax collector shall collect the tax surcharge in the amount and according to the
546 computation specified in the warrant and shall pay the amounts so collected, quarterly or semi-
547 annually, according to the schedule for collection of the single subject of taxation, to the
548 treasurer of the city, town or district. The tax collector shall maintain appropriate books and
549 accounts with respect to the tax surcharge, which shall be subject to public examination upon
550 reasonable request.

551 (c) Two or more municipalities forming a district shall select 1 of the municipalities or
552 the regional planning agency to serve as the district's treasurer for the purposes of this chapter.
553 The district agreement shall establish the method of selecting the district treasurer. The
554 municipality or regional planning agency selected to serve as the district treasurer shall perform
555 the duties thereof in accordance with section 5 and in accordance with chapter 41. Two or more
556 municipalities forming a district shall also select that same municipality or regional planning
557 agency to receive funds and provide certification for all municipalities within the district for the
558 purposes of section 9 and in accordance with section 4.

559 Section 6. (a) A city or town that accepts this chapter, either on its own or as part of a
560 district, shall, within 90 days after such acceptance, establish by ordinance or by-law and, in the
561 case of a district, the ordinance or by-law shall be established by all member municipalities, a

562 transportation committee. The committee shall consist of not less than 5 members. The ordinance
563 or by-law shall determine the composition of the committee, the length of the term of
564 appointment of the members and the criteria and method of selecting the members. The
565 committee shall include, but not be limited to, at least: (i) 1 representative from the municipality;
566 (ii) 1 member of each regional transit authority to which the city or town is a member
567 community, if any; (iii) 1 member of the regional planning agency to which the city or town is a
568 member community; and (vi) any other such persons, as determined by the ordinance or by-law.

569 (b) Each transportation committee shall study the transportation-related needs,
570 possibilities and resources of the city, town or district. The committee shall consult with existing
571 transportation agencies including, but not limited to, regional planning agencies, to develop
572 transportation projects in accordance with the ballot initiative. If a list of transportation projects
573 for which the tax surcharge funds may be used was included in a ballot question, the committee
574 shall include those projects in its study; provided, however, that the committee shall not be
575 required to recommend those projects unless otherwise required by the ballot initiative.

576 (c) Each transportation committee shall be subject to subsection (a) of section 19 of
577 chapter 30A. Each transportation committee shall keep a full and accurate account of all of its
578 actions, including its recommendations and the actions taken on them and records of all
579 appropriations or expenditures made from the Local and Regional Transportation Fund as set
580 forth in section 7. The records and accounts of the committee shall be public records.

581 (d) Each city, town or district, as applicable, shall consult with the entity proposed to own
582 and maintain the transportation project prior to listing any transportation project on the ballot as
583 set forth in this chapter. If any such city, town or district includes no specific transportation

584 projects in the ballot question, the transportation committee shall receive the approval of the
585 regional planning agency prior to submitting the local transportation committee's
586 recommendations to a governing body unless the transportation-related project or activity is
587 solely under local jurisdiction. The city, town or district shall study projects that promote access
588 to public transportation, biking and walking.

589 (e) At least once every 2 fiscal years, each transportation committee shall make
590 recommendations to the governing body of the applicable city, town or district regarding
591 efficient and effective ways to improve and enhance local transportation systems in the city,
592 town or district. Recommendations to the governing body of the city, town or district shall
593 include anticipated costs over the life cycle of the transportation project. The committee may
594 include in its recommendation to the governing body a recommendation to set aside for the later
595 spending of funds for specific purposes that are consistent with transportation-related purposes
596 but for which sufficient revenues are not currently available in the Local and Regional
597 Transportation Fund to accomplish those specific purposes, to satisfy debt payments incurred
598 from transportation-related projects or to set aside for later spending funds for general purposes
599 that are consistent with transportation improvements and in accordance with the ballot initiative.

600 (f) After receiving such recommendations from the transportation committee, the
601 governing body of a city, town or district shall take such action and approve such appropriations
602 from the Local and Regional Transportation Fund as may be necessary and appropriate for the
603 recommendations of the transportation committee and such additional appropriations as the
604 governing body deems appropriate to carry out the recommendations of the transportation
605 committee and in accordance with the ballot initiative.

606 Section 7. (a) Notwithstanding section 53 of chapter 44 or any other general or special
607 law to the contrary, a city, town or district that accepts this chapter shall establish a Local and
608 Regional Transportation Fund, of which the municipal treasurer or fiscal agent shall be the
609 custodian. The authority to approve expenditures from the fund shall be limited to the governing
610 body of any city or town, or the designated municipal treasurer or regional planning agency of
611 the district, as applicable, and the municipal treasurer or fiscal agent shall pay such expenditures
612 in accordance with chapter 41.

613 (b) Two or more municipalities forming a district shall select 1 of the municipalities or a
614 regional planning agency to establish a Local and Regional Transportation Fund. The
615 municipality or regional planning agency selected to establish the fund shall only use the funds
616 for the district as a whole through the designated fiscal agent and based solely upon the
617 recommendations and approvals of the transportation committee as set forth in this chapter.
618 Administration of the fund by the fiscal agent may, at the option of the governing body of any
619 member city or town, be subject to the further approval of the governing body.

620 (c) The following funds shall be deposited in the Local and Regional Transportation
621 Fund: (i) all funds collected from the tax surcharge on any single subject of taxation pursuant to
622 section 3; provided, however, that if the single subject of taxation is a tax collected at the state
623 level, such funds shall be deposited with the department of revenue in accordance with sections 8
624 and 9; and (ii) all funds received from the commonwealth or any other source for such purposes.
625 The treasurer or fiscal agent may: (i) deposit or invest the proceeds of the fund in savings banks,
626 trust companies incorporated under the laws of the commonwealth, banking companies
627 incorporated under the laws of the commonwealth that are members of the Federal Deposit
628 Insurance Corporation or national banks; or (ii) invest the proceeds in paid-up shares and

629 accounts of and in co-operative banks, in shares of savings and loan associations or in shares of
630 federal savings and loan associations doing business in the commonwealth or in the manner
631 authorized by section 54 of chapter 44; provided, however, that any income derived therefrom
632 shall be credited to the fund.

633 The expenditure of revenues from the fund shall be limited to implementing the
634 recommendations of the transportation committees, to providing administrative and operating
635 expenses to the committees and in accordance with the ballot initiative. The city or town, or the
636 municipal treasurer or regional planning agency of the district as set forth in section 4, shall not
637 divert revenues derived from the tax surcharge into any other fund created by law or ordinance.

638 (d) Only those cities, towns and districts that adopt the tax surcharge allowed by this
639 chapter shall be eligible to receive funds through the Local and Regional Transportation Fund.

640 Section 8. (a) There shall be a Massachusetts Local and Regional Transportation Trust
641 Fund, for the benefit of cities, towns and districts that have accepted this chapter and imposed a
642 surcharge on a tax collected by the commonwealth, subject to any exemptions adopted by the
643 city, town or district. The fund shall consist of all of the following revenues received by the
644 commonwealth from: (i) the tax surcharge pursuant to section 3; (ii) public and private sources
645 as gifts, grants and donations to further local or regional transportation projects; and (iii) any
646 other fund or source credited or transferred to it pursuant to law.

647 (b) The state treasurer shall deposit revenues received by any such tax surcharge into the
648 fund in accordance with section 9 in such manner as will secure the highest interest rate available
649 consistent with the safety of the fund and with the requirement that all amounts on deposit be
650 available for withdrawal without penalty for such withdrawal at any time. All interest accrued

651 and earnings thereon shall be deposited into the fund. The fund shall be administered in a manner
652 to separately account for revenues raised by each city, town or district and held for the benefit of
653 such city, town or district. The fund shall be expended solely for the administration and
654 implementation of this chapter. Any unexpended balances shall be redeposited for future use by
655 the city, town or district consistent with this chapter.

656 (c) The state treasurer shall make all disbursements and expenditures from the fund
657 without further appropriation, as directed by the commissioner of revenue in accordance with
658 section 9. The department of revenue shall report by source all amounts credited to said fund and
659 all expenditures from said fund. The commissioner of revenue shall assign personnel of the
660 department as it may need to administer and manage the fund disbursements and any expense
661 incurred by the department shall be deemed an operating and administrative expense of the
662 program. The operating and administrative expenses shall not exceed 3 per cent of the annual
663 total revenue deposited into the fund.

664 Section 9. (a) Upon certification of the commissioner of revenue, all funds received by
665 the commissioner under this chapter shall, not less than quarterly, be distributed, credited and
666 paid by the state treasurer to each city or town, or to the municipal treasurer or regional planning
667 agency of a district. The city or town or the municipal treasurer or regional planning agency of a
668 district shall notify the commissioner of its acceptance of the funds.

669 (b) The state treasurer, upon certification of the commissioner, shall distribute the funds
670 to the city or town or to the municipal treasurer or regional planning agency of the district based
671 on the proportional amount the city, town or district has raised by imposing the tax surcharge.
672 The total distribution of funds shall include all sources of revenue raised in the previous year as

673 set forth in subsection (a) of section 8, less not more than 3 per cent of the annual total revenue
674 of the fund, as set forth in subsection (c) of said section 8. Any city, town or district seeking to
675 dispute the commissioner's calculation of its distribution under this subsection shall notify the
676 commissioner, in writing, not later than 1 year from the date the funds were distributed by the
677 commissioner to the city, town or district.

678 (c) The commissioner shall not divert revenues derived from the tax surcharge into any
679 other fund created by law.

680 (d) Notwithstanding any general or special law to the contrary, the commissioner may
681 make available to cities, towns and districts any information necessary for the administration of
682 the tax surcharge authorized by this chapter including, but not limited to, a report of the amount
683 of the surcharge on tax collected in the aggregate by each city, town or district in the preceding
684 fiscal year and the identification of each individual vendor collecting the surcharge on sales tax
685 collected under this chapter.

686 Section 10. (a) At any time after imposition of the tax surcharge, the governing body of
687 each city or town may approve and the voters may accept an amendment to the amount and
688 computation of the tax surcharge in the same manner and subject to the same requirements as set
689 forth in this chapter.

690 (b) At any time after imposition of the tax surcharge, a district under section 4, with the
691 approval of the majority of voters in the district may accept an amendment to the amount and
692 computation of the tax surcharge in the same manner and subject to the same requirements as set
693 forth in this chapter so that the surcharge becomes uniform in all municipalities of the district.

694 Section 11. The commissioner of revenue may promulgate rules and regulations to
695 implement this chapter.

696 SECTION 6. Chapter 89 of the General Laws is hereby amended by inserting after
697 section 7C the following section:-

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

703 If a law enforcement agency of the commonwealth or any political subdivision thereof
704 determines that an emergency is caused by the immobilization of a vehicle in a travel lane on a
705 public way, such agency and any person or entity acting at the direction or request of such
706 agency, may move the immobilized vehicle.

707 No law enforcement agency and no officer, employee, agent or contractor thereof shall be
708 held liable for any damages to the immobilized vehicle, its contents or the surrounding area
709 caused by the emergency measures employed to move the vehicle for the purpose of clearing the
710 travel lane on a public way.

711 A violation of this section shall be punished by a fine of not more than \$100. A violation
712 of this section shall not be a surchargeable incident under section 113B of chapter 175 or under a
713 motor vehicle liability policy as defined in section 34A of chapter 90 that is issued pursuant to
714 said chapter 175.

715 SECTION 7. Section 7E of chapter 90 of the General Laws, as appearing in the 2018
716 Official Edition, is hereby amended by inserting after the word “registrar”, in line 68, the
717 following words:- or (vii) a vehicle or equipment owned or operated by the Massachusetts
718 Department of Transportation in connection with maintenance or construction activities in
719 highway work zones by authority of a permit issued by the registrar.

720 SECTION 8. Said chapter 90 is hereby further amended by inserting after section 17C the
721 following section:-

722 Section 17D. (a) For the purposes of this section, “active construction zone” shall mean
723 an area on a public highway or on the adjacent right of way where construction, repair,
724 maintenance or survey work is being performed by the department or by a utility company or a
725 private contractor under contract with the department.

726 (b) Notwithstanding section 18, the department may establish and post a speed limit in an
727 active construction zone without conducting an engineering study. A rate of speed in excess of a
728 speed limit posted under this section shall be prima facie evidence that the speed of the motor
729 vehicle was greater than is reasonable and proper. A violation of this section shall be punishable
730 by a fine of double the amount imposed for such a violation in that area if the area were not
731 designated as an active construction zone.

732 An active construction zone speed limit shall be effective when signs giving notice of that
733 speed limit are prominently displayed in proximity to the active construction zone and
734 construction, repair, maintenance or survey work is performed. Such signs may display either a
735 fixed speed limit or an electronic message that displays adjusted speed limits when work is being

736 performed. The signs shall notify motorists that the fine for a violation of the posted speed limit
737 is doubled in the active construction zone.

738 SECTION 9. Section 101 of chapter 159 of the General Laws, as so appearing, is hereby
739 amended by striking out subsections (b) to (e), inclusive, and inserting in place thereof the
740 following 6 subsections:-

741 (b) Passengers who fail to pay or prepay the required fare or who evade the payment of
742 the required fare on a vehicle or ferry owned by or operated for the Massachusetts Bay
743 Transportation Authority may be issued a warning or a noncriminal citation and may be
744 requested to provide identification to the Massachusetts Bay Transportation Authority police or
745 to any person designated by the Massachusetts Bay Transportation Authority to issue
746 noncriminal citations. Upon request by a Massachusetts Bay Transportation Authority police
747 officer, or by a person designated by the Massachusetts Bay Transportation Authority to issue
748 noncriminal citations, a passenger shall make themselves known by personal identification or
749 any other means for the purpose of being issued a noncriminal citation.

750 (c) A person who is issued a noncriminal citation shall be assessed a fine of not less than
751 \$10 or greater than \$250 as established by regulations of the Massachusetts Bay Transportation
752 Authority. If any such person fails to pay the fine or appeal the citation by the date on the
753 noncriminal citation, the Massachusetts Bay Transportation Authority shall provide such person
754 with notice of nonpayment of a fine indicating that the person's license or right to operate a
755 motor vehicle may not be renewed until the fine is paid. The Massachusetts Bay Transportation
756 Authority shall provide reasonable opportunity for a hearing and may waive or reduce a fine
757 imposed or may offer an alternative method of resolving the fine imposed under this section.

758 Each citation issued pursuant to this section shall state that the person receiving the
759 citation shall pay or appeal the fine by the payment due date stated on the citation. The citation
760 notice shall describe the means for payment or appeal and shall state that a hearing may be
761 obtained upon the written request of the violator in accordance with the instructions and
762 timeframe provided for on the citation. The citation notice shall state that failure to respond in
763 accordance with the instructions on the citation may result in the nonrenewal of the license to
764 operate a motor vehicle.

765 (d) For the implementation of this section the Massachusetts Bay Transportation
766 Authority shall issue regulations regarding: (i) the nature and issuance of noncriminal warnings
767 and citations; (ii) the collection of fines; (iii) fine amounts; penalties for failure to pay fines; (iv)
768 options for alternatives to resolve fines other than immediate payment in full; and (v) the
769 administration of appeal processes and hearings.

770 (e) Upon the report to the registrar of at least 2 unresolved citations under this section, the
771 registrar shall not renew that person's license or right to operate a motor vehicle under chapter 90
772 until the registrar receives a report from the Massachusetts Bay Transportation Authority
773 indicating that all outstanding citations have been resolved. Fines imposed under this section
774 shall be paid to the general fund of the Massachusetts Bay Transportation Authority.

775 (f) The Massachusetts Bay Transportation Authority and the office of performance
776 management and innovation established in section 6 of chapter 6C shall publish a report
777 annually. The report shall include, but not be limited to, data on warnings and citations issued
778 pursuant to this section during the preceding 12 months. The office shall transmit the annual
779 report to the clerks of the senate and house of representatives, the house and senate committees

780 on ways and means and the joint committee on transportation. The office shall issue rules
781 relative to the data that is to be contained in this report.

782 (g) Notwithstanding any general or special law to the contrary, no person shall be subject
783 to arrest for fare evasion on the transit system operated by the Massachusetts Bay Transportation
784 Authority.

785 SECTION 10. Chapter 159A½ of the General Laws is hereby amended by adding the
786 following section:-

787 Section 12. (a) On the first of each month, each transportation network company shall
788 submit to the division, in a format approved by the division, data related to each prearranged ride
789 provided for in the previous month and shall include the following categories of information:

790 (i) for each nonshared ride: (A) the latitude and longitude for the points of the origination
791 and termination, calculated to 3 decimal degrees; (B) the date and time, calculated to the nearest
792 minute, of the origination and termination; (C) the total cost paid by the rider for the ride; (D) the
793 universally unique identifier associated with the transportation network driver; (E) the
794 transportation network driver's city or town of residence; (F) the transportation network driver's
795 state of driver licensure; (G) whether the rider requested a shared ride but was not successfully
796 matched with another rider; (H) whether the prearranged ride accommodated a rider with special
797 needs and, if so, whether the ride was provided by a wheelchair accessible vehicle; (I) the total
798 time that the transportation network driver spent en route to pick up the rider; (J) the total time
799 that the transportation network driver spent providing the prearranged ride; (K) the total mileage
800 driven by the transportation network driver while en route to pick up the rider; (L) the total

801 mileage driven by the transportation network driver while providing the prearranged ride; (M)
802 the total number of riders in the vehicle; and (N) the transportation network vehicle license plate;

803 (ii) for each shared ride: (A) the latitude and longitude for the points of the origination
804 and termination of the entire shared ride, calculated to 3 decimal degrees; (B) the total number of
805 riders in the vehicle; (C) for each prearranged ride that was part of a shared ride: (1) the latitude
806 and longitude for the points of each respective prearranged ride's origination and termination,
807 calculated to 3 decimal degrees; (2) the date and time, calculated to the nearest minute, of each
808 respective prearranged ride's origination and termination; (3) the total time that the
809 transportation network driver spent en route to pick up each rider; (4) the total time that the
810 transportation network driver spent providing each prearranged ride; (5) the total mileage driven
811 by the transportation network driver while en route to pick up each rider; (6) the total mileage
812 driven by the transportation network while providing each prearranged ride; (7) the total cost
813 paid by each rider for each prearranged ride within a shared ride; (8) the universally unique
814 identifier associated with the transportation network driver; (9) the transportation network
815 driver's city or town of residence; (10) the transportation network driver's state of driver
816 licensure; (11) the transportation network vehicle license plate; and (12) whether the rider
817 requested a shared ride but was not successfully matched with another rider;

818 (iii) for each transportation network vehicle that provided a prearranged ride: (A) the
819 vehicle license plate; (B) the vehicle make, model, year and, if available, trim; (C) the vehicle
820 identification number; (D) the total number of minutes and miles while the vehicle was en route
821 to pick up transportation network riders; (E) the total number of minutes and miles while the
822 vehicle was engaged in prearranged rides, whether shared or nonshared; and (F) the total number
823 of minutes and miles while the vehicle was logged into the transportation network vehicle's

824 digital network for purposes of accepting a prearranged ride, but not en route to pick up riders or
825 engaged in prearranged rides; and

826 (iv) for each accident or crash involving a transportation network driver while logged into
827 the transportation network vehicle's digital network: (A) the latitude and longitude of the
828 location of the accident or crash, calculated to 4 decimal degrees; (B) the date and time of the
829 accident or crash, calculated to the nearest minute; (C) the license plate of the transportation
830 network vehicle; and (D) the universally unique identifier associated with the transportation
831 network driver.

832 (b) The division may obtain additional ride data from a transportation network company
833 for the purposes of congestion management which may include, but shall not be limited to:

834 (i) the total number of transportation network drivers that utilized the transportation
835 network vehicle's digital network within specified geographic areas and time periods as
836 determined by the division;

837 (ii) the total time spent and total miles driven by transportation network drivers in such
838 geographic areas or time periods as determined by the division: (A) while en route to pick up a
839 rider; (B) while engaged in a prearranged ride; and (C) while logged into a digital network for
840 purposes of accepting a prearranged ride, but not en route to pick up a passenger or engaged in a
841 prearranged ride.

842 The division shall promulgate regulations prior to obtaining data pursuant to this
843 subsection.

844 (c) Annually, not later than June 30, the division shall post on its website, in aggregate
845 form, the total number of rides provided by all transportation network companies that originated
846 in each city or town, the cities or towns where the rides originating in each city or town
847 terminated and the average miles and minutes of the rides that originated in each city or town
848 and terminated in each other respective city or town.

849 (d) For the purposes of congestion management, transportation planning or emissions
850 tracking, the division may enter into confidential data-sharing agreements to share anonymized
851 and aggregated data received by the division pursuant to this section with the executive office of
852 technology services and security, the executive office of energy and environmental affairs, the
853 Massachusetts Department of Transportation, the Massachusetts Port Authority, the
854 Massachusetts Bay Transportation Authority, the department of environmental protection, a city
855 or town that receives a disbursement from the Transportation Infrastructure Enhancement Trust
856 Fund established in section 8 of chapter 187 of the acts of 2016, a Massachusetts regional transit
857 authority formed pursuant to section 3 of chapter 161B of the General Laws, a Massachusetts
858 regional planning agency and a Massachusetts metropolitan planning organization. The division
859 shall prescribe the form and content of a confidential data-sharing agreement and the manner of
860 transmitting the information. Any confidential data-sharing agreement shall specify that the
861 information provided by the division shall be aggregated and anonymized and may be used only
862 for the purposes set forth in the agreement. Any data received by an entity from the division
863 through a confidential data-sharing agreement as described in this subsection shall not be
864 considered a public record as defined in clause Twenty-sixth of section 7 of chapter 4 and shall
865 not be disclosed to any person or entity other than those listed or described in the confidential
866 data-sharing agreement.

867 (e) Notwithstanding subsection (d) of section 12, a state or municipal government agency
868 or transportation planning entity may disclose conclusions and analyses derived from the
869 information and data received pursuant to a confidential data-sharing agreement.

870 (f) A violation of the terms of a confidential data-sharing agreement by an entity listed in
871 subsection (d) of section 12 may result in the division declining to enter into future confidential
872 data-sharing agreements with that entity.

873 SECTION 11. Section 20 of chapter 161A of the General Laws, as appearing in the 2018
874 Official Edition, is hereby amended by striking out, in line 26, the words “bond funds” and
875 inserting in place thereof the following words:- proceeds of commonwealth general obligation
876 bonds.

877 SECTION 12. Section 46 of said chapter 161A, as so appearing, is hereby amended by
878 inserting after the word “parkways” in line 5, the following words:- , except as provided in this
879 section.

880 SECTION 13. Said section 46 of said chapter 161A is hereby further amended by
881 inserting after the word “stops”, in line 12, the following words:- and designated bus lanes.

882 SECTION 14. The second paragraph of section 2 of chapter 634 of the acts of 1971, as
883 appearing in section 129 of chapter 25 of the acts of 2009, is hereby amended by adding the
884 following 4 sentences:- Failure to provide necessary flag protection shall be subject to a fine of
885 not more than \$3,500 per day payable to the Massachusetts Department of Transportation and
886 payment of such fine shall be due 30 days after receipt of notice thereof unless a request for an
887 adjudicatory hearing is submitted to the secretary of transportation prior to the expiration of the
888 30-day period. The secretary of transportation shall make a final decision within 30 days after the

889 adjudicator hearing and shall provide notice of its decision to all parties. The final decision shall
890 take effect 30 days after the notice of decision is delivered to all parties; provided, however, that
891 an aggrieved party may appeal the final decision of the secretary under section 14 of chapter 30A
892 of the General Laws prior to the expiration of the 30-day period. Upon a petition of the
893 department, the superior court shall have jurisdiction to enforce this section.

894 SECTION 15. Section 7 of chapter 233 of the acts of 2008 is hereby amended by striking
895 out, in line 12, the figure “2027” and inserting in place thereof the following figure:- 2039.

896 SECTION 16. Section 8 of said chapter 233 of the acts of 2008 is hereby amended by
897 striking out, in line 11, the figure “2046” and inserting in place thereof the following figure:-
898 2054.

899 SECTION 17. Section 20 of chapter 79 of the acts of 2014 is hereby amended by striking
900 out the figure “2049” each time it appears, and inserting in place thereof, in each instance, the
901 following figure:- 2054.

902 SECTION 18. Section 24 of said chapter 79 of the acts of 2014 is hereby amended by
903 striking out the words “bridge projects of the Massachusetts Department of Transportation and
904 the Massachusetts Bay Transportation Authority” and inserting in place thereof the following
905 words:- bridge projects of the Massachusetts Department of Transportation, the Massachusetts
906 Bay Transportation Authority or municipalities.

907 SECTION 19. Notwithstanding the first sentence of subsection (a) of section 39M of
908 chapter 30 of the General Laws, a transportation or public works project subject to award under
909 said section 39M of said chapter 30 by a department, agency or authority of the commonwealth
910 that is expected to interfere with the movement of traffic or the traveling public may, in the

911 discretion of the awarding authority, be procured through a bidding method that awards the
912 project to the responsible and eligible bidder with the lowest bid value after taking into account
913 the amount of time that the bidder has identified in the bid for completion of the project, or cost-
914 plus-time bidding procurement method; provided, however, that any such awarding authority
915 may reject any bid if it is in the public interest to do so. The Secretary of Transportation shall
916 promulgate rules and regulations necessary to implement this section.

917 The General Laws generally applicable to public works projects including, but not
918 limited to, sections 26, 27, 27A, 27B, 27C, 27D, 27F and 34A of chapter 149 of the General
919 Laws and sections 39F, 39G, 39H, 39J, 39K, 39M, but excluding the first sentence of subsection
920 (a) of said section 39M, 39N, 39O, 39P and 39R of chapter 30 shall apply to all public works
921 projects using the cost-plus-time bidding procurement method provided in this section.

922 SECTION 20. (a) Notwithstanding any general or special law to the contrary, the
923 Massachusetts Bay Transit Authority, in coordination with the secretary of health and human
924 services, shall implement a low-income fare program that provides free or discounted transit
925 fares to qualifying riders on all modes of transportation operated by the authority.

926 (b) In developing the low-income fare program, the Massachusetts Bay Transit Authority
927 shall develop a stakeholder engagement plan and implementation analysis. The engagement plan
928 shall ensure engagement with relevant stakeholders and provide opportunities for public input in
929 geographically-diverse service areas of the authority.

930 The analysis shall include, but not be limited to, an examination of: (i) the number of
931 riders anticipated to benefit from the program; (ii) the average reductions of each fare, by mode;
932 (iii) the overall impact on revenue to the system; (iv) partnership models for determining

933 eligibility requirements and the verification method; and (v) estimated costs associated with the
934 administration and marketing of the program.

935 The implementation analysis shall be filed with the clerks of the senate and house of
936 representatives, the senate and house committees on ways and means and the joint committee on
937 transportation not later than September 1, 2021.

938 SECTION 21. (a) There shall be a special commission on roadway and congestion
939 pricing to investigate, study and make recommendations on the development and deployment of
940 comprehensive and regionally-equitable roadway pricing and congestion pricing mechanisms
941 which shall include, without limitation, greater Boston metropolitan area roadways, major
942 bridges and interstate highways near the commonwealth's borders. The commission shall consist
943 of: the secretary of transportation or a designee; 2 persons to be appointed by the senate
944 president, 1 of whom shall be the senate chair of the joint committee on transportation; 2 persons
945 to be appointed by the speaker of the house of representatives, 1 of whom shall be the house
946 chair of the joint committee on transportation; and 10 members to be appointed by the governor:
947 1 of whom shall be an expert in transportation planning and policy who is not an employee of the
948 commonwealth or any political subdivision, who shall serve as chair, 1 of whom shall be an
949 expert in tolling systems or toll authorities, 1 of whom shall be an expert in transportation
950 financing, 2 of whom shall be experts in traffic congestion and congestion pricing, 2 of whom
951 shall be members of the Massachusetts Municipal Association who represent geographically
952 diverse areas, 1 of whom shall be a member of the business community and 2 of whom shall be
953 employed by organizations that represents low-income communities that have been historically
954 underserved by transit and acutely adversely affected by the public health impacts of traffic
955 congestion; provided, however, that the members shall not be from the same organization.

956 (b) The commission shall: (i) identify and analyze physical, technological, legal and other
957 issues or requirements related to roadway pricing in the commonwealth; (ii) propose detailed
958 specifications and regionally-equitable locations for toll gantries and other equipment necessary
959 to assess and collect tolls; (iii) advise the Massachusetts Department of Transportation on
960 roadway pricing scenarios under the federal Value Pricing Pilot Program; (iv) provide estimates
961 of annual operation and maintenance costs; (v) provide estimates of annual revenue; (vi) provide
962 traffic forecasts including forecasts of traffic diversion impacts; (vii) provide a regional and
963 social equity analysis with specific recommendations related to mitigating adverse impacts; and
964 (viii) provide potential impacts on vehicular emissions reduction. The commission shall also
965 identify all local, state and federal approvals necessary to deploy new tolls and other roadway
966 pricing mechanisms on relevant roadways.

967 (c) Not later than January 1, 2022, the commission shall file a written report of its
968 findings and recommendations, including legislative recommendations, with the clerks of the
969 senate and house of representatives, the house and senate committees on ways and means and the
970 joint committee on transportation. The report shall include, but not be limited to, an analysis of
971 mitigation measures to address social equity issues including, but not limited to, social equity
972 issues for communities underserved by the current transportation system and most directly
973 impacted by congestion.

974 SECTION 22. Not later than December 31, 2021, the Massachusetts Department of
975 Transportation shall seek approval from the Federal Highway Administration under the Value
976 Pricing Pilot Program established in Section 1012 (b) of the Intermodal Surface Transportation
977 Efficiency Act, Pub. L. 102-240; 105 Sta. 1914, as amended by section 1216(a) of the
978 Transportation Equity Act, Pub. L. 105-178; 112 Sta. 107, and section 1604(a) of the Safe,

979 Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, Pub.L.109-
980 59;119 Stat. 1144. The department shall take all actions necessary to gain approval, including
981 completion of all feasibility traffic, revenue and other studies necessary to ensure compliance
982 with applicable federal and state requirements. The department, in coordination and consultation
983 with the special commission on roadway and congestion pricing established in section 21, shall
984 commence or support activities in support of an application for road pricing under the federal
985 program including, but not limited to, feasibility studies, records of decisions, site selection,
986 environmental impact studies, traffic diversion studies, revenue studies and any other studies or
987 analyses required to implement this section.

988 SECTION 23. The Massachusetts Department of Transportation shall conduct a study to
989 examine the feasibility of mileage-based revenue collection for the commonwealth's roads and
990 highways as an alternative to the current system of taxing roadway use. The study shall: (i) test
991 the reliability, ease of use, cost and public acceptance of technology and methods for: (A)
992 counting the number of miles traveled by particular vehicles; (B) reporting the number of miles
993 traveled by particular vehicles; and (C) collecting payments from individuals; (ii) analyze and
994 evaluate the effectiveness of different technologies and methods to: (A) protect the integrity of
995 data collected and reported; (B) ensure driver privacy; and (C) vary pricing based on the time of
996 driving, type of road, proximity to transit, vehicle fuel efficiency, participation in car sharing or
997 pooling of income of the driver; and (iii) examine the impact of assessing a vehicle mileage user
998 fee on the economy, the environment and traffic congestion. The department shall submit its
999 findings to the clerks of the senate and house of representatives and the joint committee on
1000 transportation not later than March 31, 2021.

1001 SECTION 24. (a) The Massachusetts Department of Transportation shall issue a
1002 congestion mitigation plan to address disruptions caused by the Allston Multimodal Project. The
1003 plan shall be issued by a mobility manager who shall develop and implement a comprehensive
1004 transportation plan to maximize the efficiency of travel during the project. The plan shall
1005 include: (i) an analysis of key metrics to evaluate the congestion impacts of the project; (ii)
1006 progress on additional or improved travel connections; (iii) a detailed description and necessary
1007 financial outlay of mitigation measures including, but not limited to: (A) necessary infrastructure
1008 and capital improvements; (B) efforts to maximize commuter rail travel, including rail and signal
1009 improvements, improvements to at-grade crossings, fare strategies to maximize public
1010 transportation ridership, third track options, raised platforms and parking and capacity
1011 improvements; and (C) additional measures to maximize traffic benefits and reduce travel
1012 disruption to employees and the traveling public, including public or private shuttle service,
1013 incentives or plans for telecommuting, carpooling or other incentive strategies designed to
1014 reduce single-occupancy motor vehicle traffic; and (iv) a comprehensive communication and
1015 media plan. The congestion mitigation plan shall be developed in consultation with the Allston
1016 Multimodal Project task force members, the Greater Boston Chamber of Commerce, the Corridor
1017 9/495 Regional Chamber of Commerce, Inc., the Worcester Regional Chamber of Commerce,
1018 the Central Massachusetts Regional Planning Commission, the MetroWest Regional Transit
1019 Authority, the Worcester Regional Transit Authority, the Worcester Regional Research Bureau,
1020 Inc. and the 495/MetroWest Corridor Partnership, Inc. In developing the plan, the department
1021 shall conduct at least than 3 public forums to seek input from community members along the
1022 Framingham and Worcester commuter rail line. The plan shall be submitted to clerks of the

1023 senate and house of representatives and made publicly available on the website of the department
1024 not later than January 1, 2021.

1025 (b) Notwithstanding sections 3 and 13 of chapter 6C of the General Laws or any other
1026 general or special law to the contrary, there shall be no increase to the amount charged in tolls
1027 for travel on interstate highway route 90, including on the turnpike or Boston extension, as
1028 defined in section 1 of chapter 6C of the General Laws, to support or help finance the Allston
1029 Multimodal Project.

1030 SECTION 25. To meet the expenditures necessary in carrying out item 6121-2114 of
1031 section 2, the state treasurer shall, upon request of the governor, issue and sell bonds of the
1032 commonwealth in an amount to be specified by the governor from time to time but not
1033 exceeding, in the aggregate, \$1,120,000,000. All bonds issued by the commonwealth pursuant to
1034 this section shall be designated on their face, Commonwealth Transportation Improvement Act
1035 of 2020, and shall be issued for a maximum term of years, not exceeding 30 years, as the
1036 governor may recommend to the general court pursuant to section 3 of Article LXII of the
1037 Amendments to the Constitution. All such bonds shall be payable not later than June 30, 2060.
1038 All interest and payments on account of principal on these obligations shall be payable from the
1039 General Fund or the Commonwealth Transportation Fund.

1040 SECTION 26. To meet the expenditures necessary in carrying out sections 2A and 2B,
1041 the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth
1042 in an amount to be specified by the governor from time to time but not exceeding, in the
1043 aggregate, \$2,370,000,000. All bonds issued by the commonwealth pursuant to this section shall
1044 be designated on their face, Commonwealth Transportation Improvement Act of 2020, and shall

1045 be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend
1046 to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution.
1047 All such bonds shall be payable not later than June 30, 2060. All interest and payments on
1048 account of principal on these obligations shall be payable from the General Fund or the
1049 Commonwealth Transportation Fund.

1050 SECTION 27. (a) Notwithstanding any general or special law to the contrary and to meet
1051 a portion of the expenditures necessary in carrying out section 2C, the state treasurer shall, upon
1052 request of the governor, issue and sell federal grant anticipation notes of the commonwealth in an
1053 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
1054 \$1,250,000,000. Notes issued under this section shall be in addition to those notes previously
1055 issued under section 9 of chapter 11 of the acts of 1997, section 7 of chapter 233 of the acts of
1056 2008 and section 53A of chapter 29 of the General Laws to refund, in part, such previously
1057 issued notes. Notes issued under this section and the interest thereon shall be special obligations
1058 of the commonwealth secured by the Federal Highway Grant Anticipation Note Trust Fund
1059 established in section 10 of said chapter 11 of the acts of 1997. Sections 10, 10A and 10B of said
1060 chapter 11 shall apply to the notes issued under this section in the same manner and with the
1061 same effect as set forth in said sections 10, 10A and 10B of said chapter 11 with respect to the
1062 notes previously issued under said section 9 of said chapter 11 and said section 53A of said
1063 chapter 29, except as otherwise provided in a trust agreement pertaining to the notes authorized
1064 under this section; provided, however, that any pledge of federal highway construction funds and
1065 other funds to secure the notes issued under this section may be subordinate to such prior
1066 pledged funds. The notes shall not be included in the computation of outstanding bonds for
1067 purposes of the limit imposed by the second paragraph of section 60A of said chapter 29 and

1068 debt service with respect to such bonds shall not be included in the computation of the limit
1069 imposed by section 60B of said chapter 29.

1070 (b) The notes authorized in this section shall be designated on their face, Next Generation
1071 Bridge Improvement Act of 2020, and shall be issued and may be renewed for such maximum
1072 terms of years, not exceeding 20 years, as the governor may recommend to the general court in
1073 accordance with section 3 of Article LXII of the Amendments to the Constitution; provided,
1074 however, that the final maturity of such notes, whether original or renewal, shall be not later than
1075 June 30, 2050.

1076 (c) A trust agreement entered into with respect to notes authorized in this section shall be
1077 considered to be a trust agreement under section 10B of chapter 11 of the acts of 1997. The
1078 principal or purchase price of, redemption premium, if any, and interest on notes issued
1079 hereunder, fees and expenses related to those notes, deposits to reserves, if any, under such trust
1080 agreement or such credit enhancement agreement and any reimbursement amounts shall be
1081 considered to be trust agreement obligations for purposes of sections 10A and 10B of said
1082 chapter 11.

1083 (d) Notwithstanding any general or special law to the contrary, the commonwealth shall
1084 covenant with the purchasers and all subsequent owners and transferees of any notes issued
1085 under this section that while any note shall remain outstanding and any trust agreement
1086 obligation remains unpaid, federal highway construction trust funds shall not be diverted from
1087 the purposes identified in said section 10B of chapter 11 of the acts of 1997 except as provided in
1088 the trust agreement or credit enhancement agreement relating thereto and the trusts with which

1089 they are impressed shall not be broken and the pledge and dedication in trust of these funds shall
1090 continue unimpaired and unabrogated.

1091 (e) Notwithstanding any general or special law to the contrary, the trust and the Federal
1092 Highway Grant Anticipation Note Trust Fund, each established in accordance with section 10 of
1093 chapter 11 of the acts of 1997 shall terminate on the date of the final payment or defeasance in
1094 full by the commonwealth of all trust agreement obligations under said section 10 of said chapter
1095 11 and this section.

1096 SECTION 28. To meet the expenditures necessary in carrying out section 2D, the state
1097 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
1098 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
1099 \$790,000,000. All bonds issued by the commonwealth pursuant to this section shall be
1100 designated on their face, Commonwealth Transportation Improvement Act of 2020, and shall be
1101 issued for a maximum term of years, not exceeding 20 years, as the governor may recommend to
1102 the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution.
1103 All such bonds shall be payable not later than June 30, 2050. All interest and payments on
1104 account of principal on these obligations shall be payable from the General Fund or the
1105 Commonwealth Transportation Fund.

1106 SECTION 29. To meet the expenditures necessary in carrying out section 2E, the state
1107 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
1108 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
1109 \$5,730,000,000. All bonds issued by the commonwealth under this section shall be designated on
1110 their face, Commonwealth Transportation Improvement Act of 2020, and shall be issued for a

1111 maximum term of years, not exceeding 30 years, as the governor may recommend to the general
1112 court pursuant to section 3 of Article LXII of the Amendments to the Constitution. All such
1113 bonds shall be payable not later than June 30, 2060. Bonds and interest thereon issued under this
1114 section shall be general obligations of the commonwealth; provided, however, that any bonds
1115 issued by the state treasurer under this section shall, upon the request of the governor, be issued
1116 as special obligation bonds pursuant to section 20 of chapter 29 of the General Laws; provided
1117 further, that in deciding whether to request the issuance of particular bonds as special
1118 obligations, the governor shall take into account: (i) generally prevailing financial market
1119 conditions; (ii) the impact of each approach on the overall capital financing plans and needs of
1120 the commonwealth; (iii) any ratings assigned to outstanding bonds of the commonwealth and any
1121 ratings expected to be assigned by any nationally-recognized credit rating agency to the bonds
1122 proposed to be issued; and (iv) any applicable provisions of a trust agreement or credit
1123 enhancement agreement entered into pursuant to said section 20 of said chapter 29. All special
1124 obligation revenue bonds issued pursuant to this section shall be designated on their face,
1125 Commonwealth Rail Enhancement Act of 2020, and shall be issued for a maximum term of
1126 years, not exceeding 30 years, as the governor may recommend to the general court pursuant to
1127 section 3 of Article LXII of the Amendments to the Constitution; provided, however, that all
1128 such bonds shall be payable not later than June 30, 2060. All interest and payments on account of
1129 these obligations shall be payable from the Commonwealth Transportation Fund and shall be
1130 payable solely in accordance with said section 20 of said chapter 29 and such bonds shall not be
1131 included in the computation of outstanding bonds for purposes of the limit imposed by the
1132 second paragraph of section 60A of said chapter 29 and the debt service with respect to such

1133 bonds shall not be included in the computation of the limit imposed by section 60B of said
1134 chapter 29.

1135 SECTION 30. To meet the expenditures necessary in carrying out section 2F, the state
1136 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
1137 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
1138 \$89,000,000. All bonds issued by the commonwealth pursuant to this section shall be designated
1139 on their face, Commonwealth Transportation Improvement Act of 2020, and shall be issued for a
1140 maximum term of years, not exceeding 20 years, as the governor may recommend to the general
1141 court pursuant to section 3 of Article LXII of the Amendments to the Constitution. All such
1142 bonds shall be payable not later than June 30, 2050. All interest and payments on account of
1143 principal on these obligations shall be payable from the General Fund or the Commonwealth
1144 Transportation Fund.

1145 SECTION 31. To meet the expenditures necessary in carrying out section 2G, the state
1146 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
1147 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
1148 \$725,000,000. All bonds issued by the commonwealth pursuant to this section shall be
1149 designated on their face, Commonwealth Transportation Improvement Act of 2020, and shall be
1150 issued for a maximum term of years, not exceeding 10 years, as the governor may recommend to
1151 the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution.
1152 All such bonds shall be payable not later than June 30, 2040. All interest and payments on
1153 account of principal on these obligations shall be payable from the General Fund or the
1154 Commonwealth Transportation Fund.

1155 SECTION 32. To meet the expenditures necessary in carrying out section 2H, the state
1156 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
1157 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
1158 \$50,000,000. All bonds issued by the commonwealth pursuant to this section shall be designated
1159 on their face, Commonwealth Transportation Improvement Act of 2020, and shall be issued for a
1160 maximum term of years, not exceeding 5 years, as the governor may recommend to the general
1161 court pursuant to section 3 of Article LXII of the Amendments to the Constitution. All such
1162 bonds shall be payable not later than June 30, 2035. All interest and payments on account of
1163 principal on these obligations shall be payable from the General Fund or the Commonwealth
1164 Transportation Fund. Bonds and interest thereon issued pursuant to this section shall be general
1165 obligations of the commonwealth.

1166 SECTION 33. To meet the expenditures necessary in carrying out section 2I, the state
1167 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
1168 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
1169 \$303,900,000. All bonds issued by the commonwealth pursuant to this section shall be
1170 designated on their face, Commonwealth Transportation Improvement Act of 2020, and shall be
1171 issued for a maximum term of years, not exceeding 10 years, as the governor may recommend to
1172 the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution.
1173 All such bonds shall be payable not later than June 30, 2040. All interest and payments on
1174 account of principal on these obligations shall be payable from the General Fund or the
1175 Commonwealth Transportation Fund.

1176 SECTION 34. Notwithstanding any general or special law to the contrary, bonds and
1177 interest thereon issued under sections 15, 17, 19, 21, 22 and 24 shall be general obligations of the

1178 commonwealth; provided, however, that any bonds issued by the state treasurer under said
1179 sections 15, 17, 19, 21, 22 and 24 shall, upon the request of the governor, be issued as special
1180 obligation bonds pursuant to section 20 of chapter 29 of the General Laws; provided further, that
1181 in deciding whether to request the issuance of particular bonds as special obligations, the
1182 governor shall take into account: (i) generally prevailing financial market conditions; (ii) the
1183 impact of each approach on the overall capital financing plans and needs of the commonwealth;
1184 (iii) any ratings assigned to outstanding bonds of the commonwealth and any ratings expected to
1185 be assigned by any nationally-recognized credit rating agency to the bonds proposed to be
1186 issued; and (iv) any applicable provisions of a trust agreement or credit enhancement agreement
1187 entered into pursuant to said section 20 of said chapter 29. All interest and payments on account
1188 of obligations issued under this section as special obligation bonds pursuant to said section 20 of
1189 said chapter 29 shall be payable from the Commonwealth Transportation Fund solely in
1190 accordance with said section 20 of said chapter 29 and such bonds shall not be included in the
1191 computation of outstanding bonds for purposes of the limit imposed by the second paragraph of
1192 section 60A of said chapter 29 and the debt service with respect to such bonds shall not be
1193 included in the computation of the limit imposed by section 60B of said chapter 29.

1194 SECTION 35. Notwithstanding any provision of section 27 to the contrary, the state
1195 treasurer shall, upon the request of the governor, issue any portion of the amount authorized to be
1196 issued as federal grant anticipation notes under said section 27 as special obligation bonds
1197 pursuant to section 20 of chapter 29 of the General Laws; provided, however that no bonds shall
1198 be issued under this section unless the governor determines that issuing bonds or notes under this
1199 section instead of under said section 27 is necessary or is in the best financial interests of the
1200 commonwealth based on their consideration of: (i) the commonwealth's authority under federal

1201 law to issue federal grant anticipation notes pursuant to said section 27; (ii) generally prevailing
1202 financial market conditions; (iii) the impact of each financing approach on the overall capital
1203 financing plans and needs of the commonwealth; (iv) any ratings assigned to outstanding bonds
1204 of the commonwealth and any ratings expected to be assigned by any nationally-recognized
1205 credit rating agency to the bonds or notes proposed to be issued; and (v) any applicable
1206 provisions of said chapter 29.

1207 SECTION 36. Notwithstanding any general or special law to the contrary, capital
1208 appropriations made pursuant to section 2s to 2I, inclusive, shall be available for expenditure in
1209 the 10 fiscal years following June 30 of the calendar year in which the appropriation is made and
1210 any portion of such appropriation representing encumbrances outstanding on the records of the
1211 comptroller's office at the close of the tenth fiscal year may be applied to the payment thereof
1212 any time thereafter. The unencumbered balance shall revert to the commonwealth at the close of
1213 the tenth fiscal year.

1214 SECTION 37. Notwithstanding any general or special law to the contrary, in carrying
1215 out this act, the Massachusetts Department of Transportation may enter into contracts,
1216 agreements or transactions that may be appropriate with other federal, state, local or regional
1217 public agencies or authorities, that may relate to such matters as the department shall determine
1218 including, but not limited to, the research, design, layout, construction, reconstruction or
1219 management of construction of all or a portion of these projects. In relation to any such contracts,
1220 agreements or transactions, the department may advance funds to such agencies or authorities,
1221 without prior expenditure by the agencies or authorities, and the agencies and authorities may
1222 accept such funds as necessary to carry out these contracts, agreements or transactions; provided,
1223 however, that the department shall certify to the comptroller the amounts so advanced and the

1224 contracts, agreements or transactions shall contain provisions satisfactory to the department for
1225 the accounting of any funds expended by any other agency or authority. All funds not expended
1226 under these contracts, agreements or transactions shall be credited to the account of the
1227 department from which they were advanced.

1228 SECTION 38. (a) Notwithstanding any general or special law to the contrary, the
1229 Massachusetts Department of Transportation shall expend the sums authorized in sections 2 to
1230 2C, inclusive, and section 2G for: (i) projects for the laying out, construction, reconstruction,
1231 resurfacing, relocation or the beneficial improvement of highways, bridges, bicycle paths or
1232 facilities, on-street and off-street bicycle projects, sidewalks, telecommunications, parking
1233 facilities, auto-restricted zones, scenic easements, grade crossing eliminations and alterations of
1234 other crossings, traffic safety devices on state highways and on roads constructed pursuant to
1235 clause (b) of the second paragraph of section 4 of chapter 6C of the General Laws; (ii) highway
1236 or mass transportation studies including, but not limited to, traffic, environmental or parking
1237 studies; (iii) the establishment of school zones pursuant to section 2 of chapter 85 of the General
1238 Laws; (iv) improvements on routes not designated as state highways without assumption of
1239 maintenance responsibilities; (v) projects to alleviate contamination of public and private water
1240 supplies caused by the department's storage and use of snow removal chemicals which are
1241 necessary for highway safety, for the relocation of persons or businesses or for the replacement
1242 of dwellings or structures including, but not limited to, providing last resort housing under
1243 federal law and any functional replacement of structures in public ownership that may be
1244 necessary for the foregoing purposes and for relocation benefits to the extent necessary to satisfy
1245 the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies
1246 Act of 1970, 42 U.S.C. 4601 et seq., Public Law 97-646; and (vi) to sell any structure the title to

1247 which has been acquired for highway purposes. Environmental studies conducted pursuant to
1248 this subsection may include an assessment of both existing and proposed highway rest stop
1249 facilities to determine the cost-effectiveness of sanitary facilities that use zero-pollution
1250 discharge technologies, including recycling greywater systems. If dwellings or other structures
1251 are removed in furtherance of any of these projects, the excavations or cellar holes remaining
1252 shall be filled in and brought to grade within 1 month after the removal. In planning projects
1253 funded by section 2A, consideration shall be given, to the extent feasible, to accommodate and
1254 incorporate provisions to facilitate the use of bicycles and walking as a means of transportation.
1255 Nothing in this section shall be construed to give rise to enforceable legal rights of any party or a
1256 cause of action or an enforceable entitlement as to the projects described in this section.

1257 (b) Funds authorized in sections 2A and 2B shall, except as otherwise specifically
1258 provided in this act, be subject to the first paragraph of section 6 and sections 7 and 9 of chapter
1259 718 of the acts of 1956, if applicable, and, notwithstanding any general or special law to the
1260 contrary, may be used for the purposes stated in this act in conjunction with funds of cities,
1261 towns and political subdivisions.

1262 (c) The Massachusetts Department of Transportation may: (i) expend funds made
1263 available in this act to acquire by lease, purchase, eminent domain pursuant to chapter 79 of the
1264 General Laws or otherwise, land or rights in land for parking facilities adjacent to a public way
1265 to be operated by the department or under contract with an individual; (ii) expend funds made
1266 available in this act for the acquisition of van-type vehicles used for multi-passenger, commuter-
1267 driven carpools and high-occupancy vehicles including, but not limited to, water shuttles and
1268 water taxis; and (iii) pursuant to all applicable state and federal laws and regulations, exercise all
1269 powers and do all things necessary and convenient to carry out this act.

1270 (d) The Massachusetts Department of Transportation may enter into contracts or
1271 agreements with cities to mitigate the effects of projects undertaken pursuant to this act and to
1272 undertake additional transportation measures within the city and may enter into contracts,
1273 agreements or transactions with other federal, state, local or regional public agencies, authorities,
1274 nonprofit organizations or political subdivisions that may be necessary to implement these
1275 contracts or agreements with cities. Cities and other state, local or regional public agencies,
1276 authorities, nonprofit organizations or political subdivisions may enter into these contracts,
1277 agreements or transactions with the department. In relation to such contracts, agreements or other
1278 transactions, the department may advance to such agencies, nonprofit organizations, political
1279 subdivisions or authorities, without prior expenditure by the agencies, nonprofit organizations,
1280 political subdivisions or authorities, funds necessary to carry out these contracts, agreements or
1281 other transactions; provided, however, that the department shall certify to the comptroller the
1282 amount so advanced and all funds not expended under such contracts, agreements or other
1283 transactions shall be credited to the account of the department from which they were advanced.
1284 The department shall report to the house and senate committees on ways and means on any
1285 transfers completed pursuant to this subsection.

1286 SECTION 39. Notwithstanding any general or special law to the contrary, the
1287 Massachusetts Department of Transportation shall take all necessary actions to secure federal
1288 highway or transportation assistance that is or may become available to the department
1289 including, but not limited to, actions authorized pursuant to or in compliance with any of the
1290 following: Title 23 of the United States Code; the Surface Transportation and Uniform
1291 Relocation Act of 1987, Public Law 100-17; the Intermodal Surface Transportation Efficiency
1292 Act of 1991, Public Law 102-240; the Transportation Equity Act for the 21st Century, Public

1293 Law 105-178; the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy
1294 for Users, Public Law 109-59; Implementing Recommendations of the 9/11 Commission Act of
1295 2007, Public Law 110-53; the Moving Ahead for Progress in the 21st Century Act of 2012,
1296 Public Law 112-141; Fixing America’s Surface Transportation Act of 2015, Public Law 114-94;
1297 and any successor or reauthorizations of those acts, and make take such actions, including filing
1298 applications for federal assistance, supervising the expenditure of funds under federal grants or
1299 other assistance agreements and making any determinations and certifications necessary or
1300 appropriate to the foregoing. If a federal law, administrative regulation or practice requires an
1301 action relating to federal assistance to be taken by a department, agency or other instrumentality
1302 of the commonwealth other than the Massachusetts Department of Transportation, the other
1303 department, agency or instrumentality shall take such action.

1304 SECTION 40. The secretary of administration and finance and the secretary of
1305 transportation shall submit a report on the progress of any projects funded under this act and
1306 included in the Massachusetts Department of Transportation’s 5-year capital investment plan to
1307 the clerks of the senate and house of representatives, the house and senate committees on ways
1308 and means and the house and senate committees on bonding, capital expenditures and state
1309 assets. The report shall include, but not be limited to: (i) previous year planned spending; (ii)
1310 previous year spending; (iii) current year planned spending; (iv) current year spending to date;
1311 (v) original estimated total project cost and current estimated total project cost; and (vi) project
1312 description and location of the project. The report shall be submitted biannually on June 30 and
1313 December 31 for 8 years following the effective date of this act. All reports shall be made
1314 available on the department’s website.

1315 SECTION 41. Notwithstanding any general or special law to the contrary, the
1316 unexpended balances of all capital accounts authorized in chapter 86 of the acts of 2008, chapter
1317 233 of the acts of 2008, chapter 303 of the acts of 2008, chapter 10 of the acts of 2011, chapter
1318 133 of the acts of 2012, chapter 242 of the acts of 2012, chapter 79 of the acts of 2014, chapter
1319 209 of the acts of 2018 and chapter 16 of the acts of 2019 which otherwise would revert on or
1320 before June 30, 2020, but which are necessary to fund obligations during fiscal years 2020 to
1321 2024, inclusive, are hereby reauthorized through June 30, 2024.

1322 SECTION 42. The low-income fare program required in section 20 shall be implemented
1323 not later than January 1, 2022