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
section 1. to provide for a program of investments to make the commonwealth’s transportation system more reliable, address deferred maintenance and modernize and expand the system, the sums set forth in sections 2 to 2i, inclusive, for the several purposes and subject to the conditions specified in this act, are hereby made available, subject to the laws regulating the disbursement of public funds; provided, however, that the amounts specified in an item or for a particular project may be adjusted in order to facilitate projects authorized in this act. the sums made available in this act shall be in addition to any amounts previously made available for these purposes.

section 2.

massachusetts department of transportation
highway division

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

SECTION 2A.

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

Highway Division

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

6121-2157 For the construction, reconstruction, resurfacing, repair and improvement
of pavement and surface conditions on non-federally aided roadways, including, but not limited
to, state numbered routes and municipal roadways.....................................................$100,000,000
SECTION 2B.

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

Highway Division

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

6121-2127 For the purpose of implementing a program to address localized, operationally-influenced bottlenecks that negatively impact traffic flow, including, but not limited to, redesign, re-striping, lane and shoulder width adjustments, addition of auxiliary, collector and distributor lanes, signal improvements, ramp adjustments, signage and other infrastructure improvements to reduce congestion, improve traffic flow, address safety issues, and reduce idling and greenhouse gas emissions; provided, that funds may be used for the purpose of grants to municipalities; and provided further, that for communities with commuter rail stations or otherwise ready access to public transit, preference for grants shall be given to those municipalities that encourage the production of transit-oriented development, including...
6121-2128  For the construction, reconstruction, resurfacing, repair and improvement of pavement and surface conditions on municipal roadways; provided, that expenditures from this item may include the costs of engineering, design, permitting, climate change adaptation and resilience and other services essential to projects under this item; provided further, that funds may be expended from this item for matching grants to municipalities; provided further, that the department may use these funds for improving the condition of bicycle and pedestrian accommodations related to such roadway projects consistent with principles of the complete streets program established under chapter 90I of the General Laws when feasible; provided further, that in connection with a grant under this item, a city or town shall comply with the procedures established by the department with respect to municipal roadways in the pavement improvement program; and provided further, that for communities with commuter rail stations or otherwise ready access to public transit, preference for grants shall be given to those municipalities that encourage the production of transit-oriented development, including multifamily housing, near transit ……………………………………………………………$100,000,000

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

6622-2187  For the purpose of implementing a program for transit-supportive infrastructure, including, but not limited to, dedicated bus lanes, signal prioritization, shelters, lighting, signage, repairs and other improvements, technology and accessibility features and other infrastructure elements; provided, that projects may be used to improve and facilitate more
efficient delivery of transit operations, encourage municipal investment and support of transit
facilities, benefit passenger experience and enhance transit rider and pedestrian service and
safety; provided, further that funds may be used for the purpose of grants to municipalities for
the construction or physical demarcation of bus rapid transit lanes, the construction of catenary
wires for electric trolley buses, equipment for transit signal prioritization, the construction of
curb extensions or improvements at bus stops or bus stations situated in medians of existing
rights of way and shelters and benches at bus stops; and provided further, that for communities
with commuter rail stations or otherwise ready access to public transit, preference for grants shall
be given to those municipalities that encourage the production of transit-oriented development,
including multifamily housing, near transit........................................................................$30,000,000

SECTION 2C.

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

Highway Division

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

SECTION 2D.

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

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

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

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

SECTION 2E.
For the purpose of implementing sustainable transit system modernization investments and rail improvements pursuant to chapter 161A of the General Laws; provided, that funds may be used for transportation planning, design, permitting and engineering, right-of-way acquisition, acquisition of interests in land, vehicle procurement, construction and climate change adaptation and resilience improvements, including, but not limited to, construction, reconstruction, retrofitting, resilience, efficiency improvements and modernization of stations, signals, tracks, power and electrical systems, planning, design, permitting and engineering, acquisition of interests in and rights to land, construction and reconstruction, improvement, expansion, renovation, repair, relocation and equipping of maintenance and storage facilities, including, but not limited to, technology to support and service battery electric, hybrid and other low emission transit vehicles, and for heavy rail, light rail and bus projects, which projects shall include, but shall not be limited to, the red line, orange line, green line, silver line and blue line, including feasibility and planning studies and capital support for pilot services; provided further, that funds may be used for modernizing the bus fleet and associated infrastructure of the Massachusetts Bay Transportation Authority system, including, but not limited to, implementation of the so-called Better Bus Project; provided further, that funds may be used for the purpose of implementing the green line transformation program including, but not limited to, planning, design and procurement of rolling stock to improve service and reliability, enhance rider accessibility and increase capacity; provided further, that funds may be used for the purchase and rehabilitation of heavy equipment and other maintenance equipment; provided further, that funds may be used for safety, accessibility and security equipment and
improvements, energy efficiency, climate change adaptation and emergency preparedness,
bicycle and pedestrian access improvements and so-called “last mile” capital improvements;
provided further, that funds shall be expended for the design and construction of signalization
improvements located along the blue line in the city of Boston between the Bowdoin and
Wonderland stations; provided further, that funds shall be expended for the design and
construction of a commuter rail station at Wonderland park on the Newburyport and Rockport
line in the city of Revere, together with design and construction of an enclosed pedestrian
connection to the Wonderland station intermodal transit facility on the blue line in the city of
Revere; provided further, that funds shall be expended for the purpose of implementing the blue
line extension to Charles/MGH station improvements; provided further, that final assembly of
the orange line and red line non-pilot production vehicles, as defined within the Massachusetts
Bay Transportation Authority’s procurement of said vehicles, shall take place in the
commonwealth; provided further, that funds shall be expended to purchase rolling stock for use
on the commuter rail system that reduces the overall environmental and emissions impact of the
rail network to the greatest extent possible; provided further, that funds shall be expended to
establish a pilot program and related capital improvements to implement dual-mode service on
the south side of the commuter rail system, with priority given to dual-mode service on the
Framingham/Worcester Line; provided further, that the Massachusetts Bay Transportation
Authority in evaluating proposals for the furnishing and delivery of non-pilot production vehicles
shall consider, among other criteria, the effect proposals will have on job creation and retention
in the commonwealth and how proposals will foster economic development in the
commonwealth; provided further, that funds may also be used for transportation planning,
design, permitting, the procurement of electric multiple units, infrastructure improvements,
technology and equipment necessary to support new or modified commuter rail service models, safety features and passenger enhancements; provided further, that funds may be used for construction, reconstruction, retrofitting, resilience, efficiency improvements and modernization of stations, platforms, signals, tracks, power and electrical systems; provided further, that the department may use funds from this item for the costs of engineering and other services essential to these projects; provided further, that the relative weight of all the criteria used for the selection of the red line and orange line vehicle proposals shall be determined by the Massachusetts Bay Transportation Authority; provided further, that funds may be expended to purchase additional land or repurpose existing space to increase parking capacity at heavily congested commuter rail stations and may be made available as grants to municipalities for the same purpose; provided further, that not less than $150,000,000 shall be expended for station renovations and the installment of electric gantries for service electrification from North station to Beverly station; provided further, that not less than $2,500,000 shall be expended on code and accessibility improvements at the Beachmont station in the city of Revere; and provided further, that not less than $10,000,000 shall be expended for the design and construction of a South Salem commuter rail station on the Newburyport and Rockport line in the city of Salem.

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

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

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

6622-2183 For the purpose of implementing improvements at South station in the city of Boston, including modernization of the signal system and for modernizing the commuter rail
system and commuter rail system components; provided, that funds may be expended for projects, including, but not limited to, planning, design and acquisition of commuter rail passenger coaches and locomotives, infrastructure improvements, technology and equipment necessary to support new or modified commuter rail service models, safety features and passenger enhancements; provided further, that funds may be expended for capital costs associated with infrastructure and equipment to leverage innovative financing and partnership approaches; provided further, that funds may be used for planning and feasibility studies and the capital costs of pilot projects to test new service models such as regional rail and urban rail; provided further, that funds may be used for transportation planning, design, permitting and engineering, acquisition of rights of way and interests in land, construction and reconstruction of stations and other facilities; and provided further, that not less than $25,000,000 shall be expended on the design and engineering of transportation improvements along the waterfront in the South Boston section of the city of Boston taking into consideration the recommendations of the South Boston Waterfront Sustainable Transportation Plan, as amended from time to time.................................................................$400,000,000

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

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conjunction with any federal funding set aside for the East-West rail project; and provided

further, that funds may be used for transportation planning, design, permitting and engineering,

acquisition of interests in land, vehicle procurement, construction, construction of stations and

right-of-way acquisition for rail projects, including Housatonic Railroad service, Boston to Cape

Cod service, Fitchburg to Greenfield to North Adams service, Pittsfield to New York City

service and Boston to Albany, New York service and converting the Valley Flyer Pilot Service

into a permanent commuter rail service connecting the cities town of Greenfield and the cities of,

Northampton, Holyoke and Springfield.................................................................$225,000,000

SECTION 2F.

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

Aeronautics Division

6820-2117 For the airport improvement program pursuant to section 39A of chapter

90 of the General Laws, including, but not limited to, aeronautics safety and modernization

improvements.................................................................$89,000,000

SECTION 2G.

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

Office of the Secretary

6720-2117 For transportation planning and programming related to all modes,

including, but not limited to, active transportation, bicycle and pedestrian travel, rail and transit

and automobiles and associated assets including, but not limited to, roads, bridges, transit

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

6720-2127  For the purpose of capital costs associated with preconstruction, planning
and early action capital work for the Allston Multimodal Project, including multi-modal project
planning and studies, the preparation of plans and specifications, design, permitting and
engineering, climate change adaptation and resilience, regional mobility planning, acquisition of
interests in land, planning and siting of rail and bus stations and right-of-way acquisition
purchases, maintenance facilities, procurement of equipment, development, mitigation,
implementation of information technology-related equipment, lighting, landscaping, traffic
improvements, bicycle and pedestrian accessibility and related capital projects in the Allston
section of the city of Boston; provided, that the Massachusetts Department of Transportation
shall utilize the city of Boston Complete Streets Guidelines for all street construction related to
the project; provided further, that the I-90 Allston Intermodal Task Force shall remain operational through the completion of the project; provided further, that during the construction of the project, 2 tracks on the Framingham/Worcester commuter rail line shall be maintained with no reduction in service; provided further, prior to early action capital work or construction the department shall file with the clerks of the senate and house of representatives a cost benefit examination of design options for the throat area of the project, including a “no build” option that rehabilitates the existing viaduct structure, upgrades its structural load capacity and minimizes the disruption and duration of construction; provided further, that the cost examination for each option shall include, but not be limited to, a financial plan that includes all sources of funding for the project option, including any third-party contributions from stakeholders who benefit from the project option, a tentative construction schedule and implementation timeline and a detailed mitigation plan that shall include an analysis of key metrics to evaluate the traffic and environmental impacts of the project and a detailed description and necessary financial outlay of mitigation measures, including, but not limited to, necessary infrastructure and capital improvements, efforts to maximize commuter rail travel, including rail and signal improvements, fare strategies, third track options, raised platforms and parking and capacity improvements, and additional measures to maximize traffic benefits and reduce travel disruption to employees and the traveling public, including public or private shuttle service, incentives for telecommuting, carpooling, or other incentive strategies designed to reduce motor vehicle traffic, and a comprehensive communication and media plan; provided, further, that not less than $50,000,000 shall be expended for said mitigation measures; provided, further, that the cost benefit analysis for throat design options shall be done in consultation with impacted stakeholders, including, but not limited to, Allston Multimodal task force members, the Greater
Boston Chamber of Commerce, the Corridor 9/495 Regional Chamber of Commerce, Inc., the Worcester Regional Chamber of Commerce, the Central Massachusetts Regional Planning Commission, the MetroWest Regional Transit Authority, the Worcester Regional Transit Authority, the Worcester Regional Research Bureau, Inc. and the 495/MetroWest Partnership.

.................................................................$250,000,000

SECTION 2H.

EXECUTIVE OFFICE OF TECHNOLOGY SERVICES AND SECURITY

Office of the Secretary

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

SECTION 2I.

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

Office of the Secretary

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

15 of 61
repurpose street space in response to the 2019 novel coronavirus to support public health, safe
mobility and renewed commerce..........................................................$20,000,000

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

6921-2115 For transportation improvement projects; provided, that not less than
$13,500,000 shall be expended for traffic signal and safety improvements at interchange 17 on
interstate 90; provided further, that not less than $100,000,000 shall be expended for the
construction of a new four-lane bridge across the Merrimack river in the city of Lowell to replace
the temporary two-lane Rourke bridge; provided further, that not less than $108,000,000 shall be
expended for the purpose of implementing the MassDOT project, pursuant to chapter 272 of the
acts of 2014, including the planning, design, development and construction of the relocation of a
portion of Storrow drive and its access ramps to Charles circle as necessary to consolidate the
westbound lanes of Storrow drive with the eastbound lanes under a single arch of the Longfellow
bridge and the restoration to parkland and gardens to standards approved by the department of
the open space created by the consolidation that is contiguous with the Esplanade parkland;
provided further, that not less than $10,000,000 shall be expended for the design and
reconstruction of the route 117 bridge in the city of Waltham; provided further, that not less than
$1,200,000 shall be expended for streetscape and roadway improvements to Drury square in the
town of Auburn; and provided further, that not less than $1,200,000 shall be expended for
sidewalk improvements, the restoration of George Hill road and the design and construction of Westboro road in the town of Grafton…………………………………………………………..$233,900,000

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

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

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

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

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

“Best value”, the highest overall value to the awarding authority, considering quality and cost.
“Job order”, an agreed-upon, fixed-price order issued by the department or by the authority to a contractor pursuant to a job order contract for the contractor’s performance of a specific construction, demolition, reconstruction, alteration, remodeling or repair project of a public work consisting of tasks selected from those specified and priced in that job order contract.

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

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

"Task", an item of work for which a unit price is set forth in the contract specifications or for which a unit price is developed in accordance with a specified formula presented in the contract.
(b)(1) Notwithstanding section 44A of chapter 149, section 39M of chapter 30 or any other general or special law to the contrary, the department and the authority may establish programs for the use of job order contracts.

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

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

(c)(1) The department and the authority may procure job order contracts for projects that: (i) improve access to places of public accommodation listed in section 92A of chapter 272; or (ii) remove barriers and create or improve accessible features for both physical and programmatic access necessary for compliance with the law, including title II of the Americans with Disabilities Act, 42 U.S.C. sections 12131–12165, and the laws of the commonwealth; provided, however, that a job order shall not encompass ongoing and routine maintenance performed before the contract by any employee of the authority covered by a collective bargaining agreement.
(2) Job order contracts shall be limited to job orders estimated to cost not more than $1,000,000 each and shall be procured through the procedures specified in section 39M of chapter 30 except that: (i) the amount of the bid deposit shall be $5,000; (ii) contractors who are awarded job orders under any job order contract shall be certified by the division for the category of work specified in the contract; and (iii) the amounts of surety bonds required by the contract may be satisfied with respect to each particular job order before the commencement of any work under that job order. The department and the authority shall award a job order contract to the eligible and responsible bidder who offers the lowest mark-up over the base unit prices specified in the contract specifications.

Section 78. There shall be within the department an office of rail enhancement. The office shall be dedicated to improving the productivity, equity and environmental sustainability of the rail system. The office shall develop and implement short-term, medium-term and long-term plans for each line of the rail system based on consideration of criteria developed by the department, including, but not limited to: (i) enhancing performance and ensuring that the rail is fully integrated into the commonwealth’s transportation system; (ii) instituting a fare and parking pricing policy that is designed to reduce congestion and maximize ridership and equity; (iii) ensuring vehicle parking at rail stops; (iv) increasing accessibility for people with disabilities; (v) prioritizing investments and decisions that maximize ridership return on investments; and (vi) reducing carbon emissions. The office shall develop and implement a stakeholder engagement plan to support its mission. The office shall develop and monitor key metrics to measure performance of its mission and annually make available on the department’s website a public report on the performance metrics and the short-term, medium-term and long-term plans for each line of the rail system.
Section 79. There shall be within the department an office of bus transformation. The office shall be dedicated to improving the productivity, equity and environmental sustainability of the bus system. The office shall develop and implement short-term, medium-term and long-term plans for the bus system based on consideration of criteria developed by the department, including, but not limited to: (i) increasing on-time performance, including, but not limited to, efforts to reduce board times and increase priority bus lanes; (ii) instituting a fare policy that maximizes equity and enhances the other missions of the office; (iii) maximizing ridership return on investments; (iv) improving the accessibility of the system for people with disabilities; and (vi) reducing carbon emissions. The office shall develop and implement a stakeholder engagement plan to support its mission. The office shall develop and monitor key metrics to measure performance of its mission and annually make available on the department’s website a public report on the performance metrics and the short-term, medium-term and long-term plans for the bus system.

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

CHAPTER 64O.

LOCAL AND REGIONAL TRANSPORTATION BALLOT INITIATIVES.

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

“District agreement”, a document specifying the terms and conditions of the powers and duties of at least 2 municipalities forming a district under section 4 pursuant to the laws
governing any such municipalities, this chapter and such procedural regulations as the
commissioner of revenue may promulgate.

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

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

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

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

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

(c) Notwithstanding chapters 59, 60A, 62 or 64H or any other general or special law to
the contrary, the governing body of a city or town may vote to accept this chapter authorizing a
surcharge on a single subject of taxation. A governing body that intends to accept this chapter
shall determine a single subject of taxation to be levied and the amount and rate of surcharge on
the single subject of taxation prior to approval by the voters. If the identified single subject of
taxation is a real or personal property excise, the amount of the surcharge shall not be included in
a calculation of total taxes assessed for purposes of section 21C of chapter 59.

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

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

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

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

"Shall the (city or town) of ______ accept sections 2 to 5, inclusive, of chapter 64O of
the General Laws, as approved by its (governing body), a summary of which appears below
(Set forth here a fair, concise summary and purpose of the law to be acted upon, as
determined by the city solicitor or town counsel, including the specific single subject of taxation
to be levied and the percentage of the surcharge to be imposed.)”

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

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

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

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

(b) For the purposes of subsection (a), if a majority of the votes cast in the district on the
question in the affirmative, this chapter shall take effect in the district, but not otherwise.
(c) Two or more municipalities that choose to form a district under this chapter shall apply a tax surcharge to their preferred single subject of taxation. The amount and percentage of the tax surcharge may vary for each municipality that comprises the district.

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

(e) Nothing in this section shall be construed to: (i) amend, repeal or otherwise alter the authority or jurisdiction of, or establish, a municipality; or (ii) confer any management authority over transportation projects beyond the authority exercised by participating municipalities in the district agreement pursuant to this chapter.
Section 5. (a) Upon acceptance of this chapter, the satisfaction of the requirements of this chapter and the assessors’ warrant to the tax collector, the accepted tax surcharge shall be imposed in the city or town. The city, town or district shall notify the commissioner of revenue of the date and terms on which the voters accepted this chapter.

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

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

Section 6. (a) A city or town that accepts this chapter, either on its own or as part of a district, shall, within 90 days after such acceptance, establish by ordinance or by-law and, in the case of a district, the ordinance or by-law shall be established by all member municipalities, a
transportation committee. The committee shall consist of not less than 5 members. The ordinance or by-law shall determine the composition of the committee, the length of the term of appointment of the members and the criteria and method of selecting the members. The committee shall include, but not be limited to, at least: (i) 1 representative from the municipality; (ii) 1 member of each regional transit authority to which the city or town is a member community, if any; (iii) 1 member of the regional planning agency to which the city or town is a member community; and (vi) any other such persons, as determined by the ordinance or by-law.

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

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

(d) Each city, town or district, as applicable, shall consult with the entity proposed to own and maintain the transportation project prior to listing any transportation project on the ballot as set forth in this chapter. If any such city, town or district includes no specific transportation
projects in the ballot question, the transportation committee shall receive the approval of the regional planning agency prior to submitting the local transportation committee’s recommendations to a governing body unless the transportation-related project or activity is solely under local jurisdiction. The city, town or district shall study projects that promote access to public transportation, biking and walking.

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

(f) After receiving such recommendations from the transportation committee, the governing body of a city, town or district shall take such action and approve such appropriations from the Local and Regional Transportation Fund as may be necessary and appropriate for the recommendations of the transportation committee and such additional appropriations as the governing body deems appropriate to carry out the recommendations of the transportation committee and in accordance with the ballot initiative.
Section 7. (a) Notwithstanding section 53 of chapter 44 or any other general or special law to the contrary, a city, town or district that accepts this chapter shall establish a Local and Regional Transportation Fund, of which the municipal treasurer or fiscal agent shall be the custodian. The authority to approve expenditures from the fund shall be limited to the governing body of any city or town, or the designated municipal treasurer or regional planning agency of the district, as applicable, and the municipal treasurer or fiscal agent shall pay such expenditures in accordance with chapter 41.

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

(c) The following funds shall be deposited in the Local and Regional Transportation Fund: (i) all funds collected from the tax surcharge on any single subject of taxation pursuant to section 3; provided, however, that if the single subject of taxation is a tax collected at the state level, such funds shall be deposited with the department of revenue in accordance with sections 8 and 9; and (ii) all funds received from the commonwealth or any other source for such purposes. The treasurer or fiscal agent may: (i) deposit or invest the proceeds of the fund in savings banks, trust companies incorporated under the laws of the commonwealth, banking companies incorporated under the laws of the commonwealth that are members of the Federal Deposit Insurance Corporation or national banks; or (ii) invest the proceeds in paid-up shares and
accounts of and in co-operative banks, in shares of savings and loan associations or in shares of federal savings and loan associations doing business in the commonwealth or in the manner authorized by section 54 of chapter 44; provided, however, that any income derived therefrom shall be credited to the fund.

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

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

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

(b) The state treasurer shall deposit revenues received by any such tax surcharge into the fund in accordance with section 9 in such manner as will secure the highest interest rate available consistent with the safety of the fund and with the requirement that all amounts on deposit be available for withdrawal without penalty for such withdrawal at any time. All interest accrued
and earnings thereon shall be deposited into the fund. The fund shall be administered in a manner
to separately account for revenues raised by each city, town or district and held for the benefit of
such city, town or district. The fund shall be expended solely for the administration and
implementation of this chapter. Any unexpended balances shall be redeposited for future use by
the city, town or district consistent with this chapter.

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

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

(b) The state treasurer, upon certification of the commissioner, shall distribute the funds
to the city or town or to the municipal treasurer or regional planning agency of the district based
on the proportional amount the city, town or district has raised by imposing the tax surcharge.
The total distribution of funds shall include all sources of revenue raised in the previous year as
set forth in subsection (a) of section 8, less not more than 3 per cent of the annual total revenue
of the fund, as set forth in subsection (c) of said section 8. Any city, town or district seeking to
dispute the commissioner's calculation of its distribution under this subsection shall notify the
commissioner, in writing, not later than 1 year from the date the funds were distributed by the
commissioner to the city, town or district.

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

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

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

(b) At any time after imposition of the tax surcharge, a district under section 4, with the
approval of the majority of voters in the district may accept an amendment to the amount and
computation of the tax surcharge in the same manner and subject to the same requirements as set
forth in this chapter so that the surcharge becomes uniform in all municipalities of the district.
Section 11. The commissioner of revenue may promulgate rules and regulations to implement this chapter.

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

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

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

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

A violation of this section shall be punished by a fine of not more than $100. A violation of this section shall not be a surchargeable incident under section 113B of chapter 175 or under a motor vehicle liability policy as defined in section 34A of chapter 90 that is issued pursuant to said chapter 175.
SECTION 7. Section 7E of chapter 90 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by inserting after the word “registrar”, in line 68, the following words:- or (vii) a vehicle or equipment owned or operated by the Massachusetts Department of Transportation in connection with maintenance or construction activities in highway work zones by authority of a permit issued by the registrar.

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

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

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

An active construction zone speed limit shall be effective when signs giving notice of that speed limit are prominently displayed in proximity to the active construction zone and construction, repair, maintenance or survey work is performed. Such signs may display either a fixed speed limit or an electronic message that displays adjusted speed limits when work is being
performed. The signs shall notify motorists that the fine for a violation of the posted speed limit
is doubled in the active construction zone.

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

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

(c) A person who is issued a noncriminal citation shall be assessed a fine of not less than
$10 or greater than $250 as established by regulations of the Massachusetts Bay Transportation
Authority. If any such person fails to pay the fine or appeal the citation by the date on the
noncriminal citation, the Massachusetts Bay Transportation Authority shall provide such person
with notice of nonpayment of a fine indicating that the person’s license or right to operate a
motor vehicle may not be renewed until the fine is paid. The Massachusetts Bay Transportation
Authority shall provide reasonable opportunity for a hearing and may waive or reduce a fine
imposed or may offer an alternative method of resolving the fine imposed under this section.
Each citation issued pursuant to this section shall state that the person receiving the citation shall pay or appeal the fine by the payment due date stated on the citation. The citation notice shall describe the means for payment or appeal and shall state that a hearing may be obtained upon the written request of the violator in accordance with the instructions and timeframe provided for on the citation. The citation notice shall state that failure to respond in accordance with the instructions on the citation may result in the nonrenewal of the license to operate a motor vehicle.

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

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

(f) The Massachusetts Bay Transportation Authority and the office of performance management and innovation established in section 6 of chapter 6C shall publish a report annually. The report shall include, but not be limited to, data on warnings and citations issued pursuant to this section during the preceding 12 months. The office shall transmit the annual report to the clerks of the senate and house of representatives, the house and senate committees.
on ways and means and the joint committee on transportation. The office shall issue rules
relative to the data that is to be contained in this report.

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

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

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

(i) for each nonshared ride: (A) the latitude and longitude for the points of the origination
and termination, calculated to 3 decimal degrees; (B) the date and time, calculated to the nearest
minute, of the origination and termination; (C) the total cost paid by the rider for the ride; (D) the
universally unique identifier associated with the transportation network driver; (E) the
transportation network driver’s city or town of residence; (F) the transportation network driver’s
state of driver licensure; (G) whether the rider requested a shared ride but was not successfully
matched with another rider; (H) whether the prearranged ride accommodated a rider with special
needs and, if so, whether the ride was provided by a wheelchair accessible vehicle; (I) the total
time that the transportation network driver spent en route to pick up the rider; (J) the total time
that the transportation network driver spent providing the prearranged ride; (K) the total mileage
driven by the transportation network driver while en route to pick up the rider; (L) the total
mileage driven by the transportation network driver while providing the prearranged ride; (M)
the total number of riders in the vehicle; and (N) the transportation network vehicle license plate;
(ii) for each shared ride: (A) the latitude and longitude for the points of the origination
and termination of the entire shared ride, calculated to 3 decimal degrees; (B) the total number of
riders in the vehicle; (C) for each prearranged ride that was part of a shared ride: (1) the latitude
and longitude for the points of each respective prearranged ride’s origination and termination,
calculated to 3 decimal degrees; (2) the date and time, calculated to the nearest minute, of each
respective prearranged ride’s origination and termination; (3) the total time that the
transportation network driver spent en route to pick up each rider; (4) the total time that the
transportation network driver spent providing each prearranged ride; (5) the total mileage driven
by the transportation network driver while en route to pick up each rider; (6) the total mileage
driven by the transportation network while providing each prearranged ride; (7) the total cost
paid by each rider for each prearranged ride within a shared ride; (8) the universally unique
identifier associated with the transportation network driver; (9) the transportation network
driver’s city or town of residence; (10) the transportation network driver’s state of driver
licensure; (11) the transportation network vehicle license plate; and (12) whether the rider
requested a shared ride but was not successfully matched with another rider;
(iii) for each transportation network vehicle that provided a prearranged ride: (A) the
vehicle license plate; (B) the vehicle make, model, year and, if available, trim; (C) the vehicle
identification number; (D) the total number of minutes and miles while the vehicle was en route
to pick up transportation network riders; (E) the total number of minutes and miles while the
vehicle was engaged in prearranged rides, whether shared or nonshared; and (F) the total number
of minutes and miles while the vehicle was logged into the transportation network vehicle’s
digital network for purposes of accepting a prearranged ride, but not en route to pick up riders or engaged in prearranged rides; and

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

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

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

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

The division shall promulgate regulations prior to obtaining data pursuant to this subsection.
(c) Annually, not later than June 30, the division shall post on its website, in aggregate form, the total number of rides provided by all transportation network companies that originated in each city or town, the cities or towns where the rides originating in each city or town terminated and the average miles and minutes of the rides that originated in each city or town and terminated in each other respective city or town.

(d) For the purposes of congestion management, transportation planning or emissions tracking, the division may enter into confidential data-sharing agreements to share anonymized and aggregated data received by the division pursuant to this section with the executive office of technology services and security, the executive office of energy and environmental affairs, the Massachusetts Department of Transportation, the Massachusetts Port Authority, the Massachusetts Bay Transportation Authority, the department of environmental protection, a city or town that receives a disbursement from the Transportation Infrastructure Enhancement Trust Fund established in section 8 of chapter 187 of the acts of 2016, a Massachusetts regional transit authority formed pursuant to section 3 of chapter 161B of the General Laws, a Massachusetts regional planning agency and a Massachusetts metropolitan planning organization. The division shall prescribe the form and content of a confidential data-sharing agreement and the manner of transmitting the information. Any confidential data-sharing agreement shall specify that the information provided by the division shall be aggregated and anonymized and may be used only for the purposes set forth in the agreement. Any data received by an entity from the division through a confidential data-sharing agreement as described in this subsection shall not be considered a public record as defined in clause Twenty-sixth of section 7 of chapter 4 and shall not be disclosed to any person or entity other than those listed or described in the confidential data-sharing agreement.
(e) Notwithstanding subsection (d) of section 12, a state or municipal government agency or transportation planning entity may disclose conclusions and analyses derived from the information and data received pursuant to a confidential data-sharing agreement.

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

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

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

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

SECTION 14. The second paragraph of section 2 of chapter 634 of the acts of 1971, as appearing in section 129 of chapter 25 of the acts of 2009, is hereby amended by adding the following 4 sentences:- Failure to provide necessary flag protection shall be subject to a fine of not more than $3,500 per day payable to the Massachusetts Department of Transportation and payment of such fine shall be due 30 days after receipt of notice thereof unless a request for an adjudicatory hearing is submitted to the secretary of transportation prior to the expiration of the 30-day period. The secretary of transportation shall make a final decision within 30 days after the
adjudicator hearing and shall provide notice of its decision to all parties. The final decision shall take effect 30 days after the notice of decision is delivered to all parties; provided, however, that an aggrieved party may appeal the final decision of the secretary under section 14 of chapter 30A of the General Laws prior to the expiration of the 30-day period. Upon a petition of the department, the superior court shall have jurisdiction to enforce this section.

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

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

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

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

SECTION 19. Notwithstanding the first sentence of subsection (a) of section 39M of chapter 30 of the General Laws, a transportation or public works project subject to award under said section 39M of said chapter 30 by a department, agency or authority of the commonwealth that is expected to interfere with the movement of traffic or the traveling public may, in the
discretion of the awarding authority, be procured through a bidding method that awards the
project to the responsible and eligible bidder with the lowest bid value after taking into account
the amount of time that the bidder has identified in the bid for completion of the project, or cost-
plus-time bidding procurement method; provided, however, that any such awarding authority
may reject any bid if it is in the public interest to do so. The Secretary of Transportation shall
promulgate rules and regulations necessary to implement this section.

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

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

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

The analysis shall include, but not be limited to, an examination of: (i) the number of
riders anticipated to benefit from the program; (ii) the average reductions of each fare, by mode;
(iii) the overall impact on revenue to the system; (iv) partnership models for determining
eligibility requirements and the verification method; and (v) estimated costs associated with the administration and marketing of the program.

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

SECTION 21. (a) There shall be a special commission on roadway and congestion pricing to investigate, study and make recommendations on the development and deployment of comprehensive and regionally-equitable roadway pricing and congestion pricing mechanisms which shall include, without limitation, greater Boston metropolitan area roadways, major bridges and interstate highways near the commonwealth’s borders. The commission shall consist of: the secretary of transportation or a designee; 2 persons to be appointed by the senate president, 1 of whom shall be the senate chair of the joint committee on transportation; 2 persons to be appointed by the speaker of the house of representatives, 1 of whom shall be the house chair of the joint committee on transportation; and 10 members to be appointed by the governor: 1 of whom shall be an expert in transportation planning and policy who is not an employee of the commonwealth or any political subdivision, who shall serve as chair, 1 of whom shall be an expert in tolling systems or toll authorities, 1 of whom shall be an expert in transportation financing, 2 of whom shall be experts in traffic congestion and congestion pricing, 2 of whom shall be members of the Massachusetts Municipal Association who represent geographically diverse areas, 1 of whom shall be a member of the business community and 2 of whom shall be employed by organizations that represents low-income communities that have been historically underserved by transit and acutely adversely affected by the public health impacts of traffic congestion; provided, however, that the members shall not be from the same organization.
(b) The commission shall: (i) identify and analyze physical, technological, legal and other
issues or requirements related to roadway pricing in the commonwealth; (ii) propose detailed
specifications and regionally-equitable locations for toll gantries and other equipment necessary
to assess and collect tolls; (iii) advise the Massachusetts Department of Transportation on
roadway pricing scenarios under the federal Value Pricing Pilot Program; (iv) provide estimates
of annual operation and maintenance costs; (v) provide estimates of annual revenue; (vi) provide
traffic forecasts including forecasts of traffic diversion impacts; (vii) provide a regional and
social equity analysis with specific recommendations related to mitigating adverse impacts; and
(viii) provide potential impacts on vehicular emissions reduction. The commission shall also
identify all local, state and federal approvals necessary to deploy new tolls and other roadway
pricing mechanisms on relevant roadways.

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

SECTION 22. Not later than December 31, 2021, the Massachusetts Department of
Transportation shall seek approval from the Federal Highway Administration under the Value
Pricing Pilot Program established in Section 1012 (b) of the Intermodal Surface Transportation
Efficiency Act, Pub. L. 102-240; 105 Sta. 1914, as amended by section 1216(a) of the
Transportation Equity Act, Pub. L. 105-178; 112 Sta. 107, and section 1604(a) of the Safe,
The department shall take all actions necessary to gain approval, including completion of all feasibility traffic, revenue and other studies necessary to ensure compliance with applicable federal and state requirements. The department, in coordination and consultation with the special commission on roadway and congestion pricing established in section 21, shall commence or support activities in support of an application for road pricing under the federal program including, but not limited to, feasibility studies, records of decisions, site selection, environmental impact studies, traffic diversion studies, revenue studies and any other studies or analyses required to implement this section.

SECTION 23. The Massachusetts Department of Transportation shall conduct a study to examine the feasibility of mileage-based revenue collection for the commonwealth’s roads and highways as an alternative to the current system of taxing roadway use. The study shall: (i) test the reliability, ease of use, cost and public acceptance of technology and methods for: (A) counting the number of miles traveled by particular vehicles; (B) reporting the number of miles traveled by particular vehicles; and (C) collecting payments from individuals; (ii) analyze and evaluate the effectiveness of different technologies and methods to: (A) protect the integrity of data collected and reported; (B) ensure driver privacy; and (C) vary pricing based on the time of driving, type of road, proximity to transit, vehicle fuel efficiency, participation in car sharing or pooling of income of the driver; and (iii) examine the impact of assessing a vehicle mileage user fee on the economy, the environment and traffic congestion. The department shall submit its findings to the clerks of the senate and house of representatives and the joint committee on transportation not later than March 31, 2021.
SECTION 24. (a) The Massachusetts Department of Transportation shall issue a congestion mitigation plan to address disruptions caused by the Allston Multimodal Project. The plan shall be issued by a mobility manager who shall develop and implement a comprehensive transportation plan to maximize the efficiency of travel during the project. The plan shall include: (i) an analysis of key metrics to evaluate the congestion impacts of the project; (ii) progress on additional or improved travel connections; (iii) a detailed description and necessary financial outlay of mitigation measures including, but not limited to: (A) necessary infrastructure and capital improvements; (B) efforts to maximize commuter rail travel, including rail and signal improvements, improvements to at-grade crossings, fare strategies to maximize public transportation ridership, third track options, raised platforms and parking and capacity improvements; and (C) additional measures to maximize traffic benefits and reduce travel disruption to employees and the traveling public, including public or private shuttle service, incentives or plans for telecommuting, carpooling or other incentive strategies designed to reduce single-occupancy motor vehicle traffic; and (iv) a comprehensive communication and media plan. The congestion mitigation plan shall be developed in consultation with the Allston Multimodal Project task force members, the Greater Boston Chamber of Commerce, the Corridor 9/495 Regional Chamber of Commerce, Inc., the Worcester Regional Chamber of Commerce, the Central Massachusetts Regional Planning Commission, the MetroWest Regional Transit Authority, the Worcester Regional Transit Authority, the Worcester Regional Research Bureau, Inc. and the 495/MetroWest Corridor Partnership, Inc. In developing the plan, the department shall conduct at least 3 public forums to seek input from community members along the Framingham and Worcester commuter rail line. The plan shall be submitted to clerks of the
senate and house of representatives and made publicly available on the website of the department not later than January 1, 2021.

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

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

SECTION 26. To meet the expenditures necessary in carrying out sections 2A and 2B, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, $2,370,000,000. All bonds issued by the commonwealth pursuant to this section shall be designated on their face, Commonwealth Transportation Improvement Act of 2020, and shall
be issued for a maximum term of years, not exceeding 30 years, as the governor may recommend
to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution.
All such bonds shall be payable not later than June 30, 2060. All interest and payments on
account of principal on these obligations shall be payable from the General Fund or the
Commonwealth Transportation Fund.

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

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

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

(d) Notwithstanding any general or special law to the contrary, the commonwealth shall covenant with the purchasers and all subsequent owners and transferees of any notes issued under this section that while any note shall remain outstanding and any trust agreement obligation remains unpaid, federal highway construction trust funds shall not be diverted from the purposes identified in said section 10B of chapter 11 of the acts of 1997 except as provided in the trust agreement or credit enhancement agreement relating thereto and the trusts with which
they are impressed shall not be broken and the pledge and dedication in trust of these funds shall continue unimpaired and unabrogated.

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

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

SECTION 29. To meet the expenditures necessary in carrying out section 2E, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, $5,730,000,000. All bonds issued by the commonwealth under this section shall be designated on their face, Commonwealth Transportation Improvement Act of 2020, and shall be issued for a
maximum term of years, not exceeding 30 years, as the governor may recommend to the general
court pursuant to section 3 of Article LXII of the Amendments to the Constitution. All such
bonds shall be payable not later than June 30, 2060. Bonds and interest thereon issued under this
section shall be general obligations of the commonwealth; provided, however, that any bonds
issued by the state treasurer under this section shall, upon the request of the governor, be issued
as special obligation bonds pursuant to section 2O of chapter 29 of the General Laws; provided
further, that in deciding whether to request the issuance of particular bonds as special
obligations, the governor shall take into account: (i) generally prevailing financial market
conditions; (ii) the impact of each approach on the overall capital financing plans and needs of
the commonwealth; (iii) any ratings assigned to outstanding bonds of the commonwealth and any
ratings expected to be assigned by any nationally-recognized credit rating agency to the bonds
proposed to be issued; and (iv) any applicable provisions of a trust agreement or credit
enhancement agreement entered into pursuant to said section 2O of said chapter 29. All special
obligation revenue bonds issued pursuant to this section shall be designated on their face,
Commonwealth Rail Enhancement Act of 2020, and shall be issued for a maximum term of
years, not exceeding 30 years, as the governor may recommend to the general court pursuant to
section 3 of Article LXII of the Amendments to the Constitution; provided, however, that all
such bonds shall be payable not later than June 30, 2060. All interest and payments on account of
these obligations shall be payable from the Commonwealth Transportation Fund and shall be
payable solely in accordance with said section 2O of said chapter 29 and such bonds shall not be
included in the computation of outstanding bonds for purposes of the limit imposed by the
second paragraph of section 60A of said chapter 29 and the debt service with respect to such
bonds shall not be included in the computation of the limit imposed by section 60B of said chapter 29.

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

SECTION 31. To meet the expenditures necessary in carrying out section 2G, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, $725,000,000. All bonds issued by the commonwealth pursuant to this section shall be designated on their face, Commonwealth Transportation Improvement Act of 2020, and shall be issued for a maximum term of years, not exceeding 10 years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution. All such bonds shall be payable not later than June 30, 2040. All interest and payments on account of principal on these obligations shall be payable from the General Fund or the Commonwealth Transportation Fund.
SECTION 32. To meet the expenditures necessary in carrying out section 2H, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time but not exceeding, in the aggregate, $50,000,000. All bonds issued by the commonwealth pursuant to this section shall be designated on their face, Commonwealth Transportation Improvement Act of 2020, and shall be issued for a maximum term of years, not exceeding 5 years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution. All such bonds shall be payable not later than June 30, 2035. All interest and payments on account of principal on these obligations shall be payable from the General Fund or the Commonwealth Transportation Fund. Bonds and interest thereon issued pursuant to this section shall be general obligations of the commonwealth.

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

SECTION 34. Notwithstanding any general or special law to the contrary, bonds and interest thereon issued under sections 15, 17, 19, 21, 22 and 24 shall be general obligations of the
commonwealth; provided, however, that any bonds issued by the state treasurer under said sections 15, 17, 19, 21, 22 and 24 shall, upon the request of the governor, be issued as special obligation bonds pursuant to section 2O of chapter 29 of the General Laws; provided further, that in deciding whether to request the issuance of particular bonds as special obligations, the governor shall take into account: (i) generally prevailing financial market conditions; (ii) the impact of each approach on the overall capital financing plans and needs of the commonwealth; (iii) any ratings assigned to outstanding bonds of the commonwealth and any ratings expected to be assigned by any nationally-recognized credit rating agency to the bonds proposed to be issued; and (iv) any applicable provisions of a trust agreement or credit enhancement agreement entered into pursuant to said section 2O of said chapter 29. All interest and payments on account of obligations issued under this section as special obligation bonds pursuant to said section 2O of said chapter 29 shall be payable from the Commonwealth Transportation Fund solely in accordance with said section 2O of said chapter 29 and such bonds shall not be included in the computation of outstanding bonds for purposes of the limit imposed by the second paragraph of section 60A of said chapter 29 and the debt service with respect to such bonds shall not be included in the computation of the limit imposed by section 60B of said chapter 29.

SECTION 35. Notwithstanding any provision of section 27 to the contrary, the state treasurer shall, upon the request of the governor, issue any portion of the amount authorized to be issued as federal grant anticipation notes under said section 27 as special obligation bonds pursuant to section 2O of chapter 29 of the General Laws; provided, however that no bonds shall be issued under this section unless the governor determines that issuing bonds or notes under this section instead of under said section 27 is necessary or is in the best financial interests of the commonwealth based on their consideration of: (i) the commonwealth’s authority under federal
law to issue federal grant anticipation notes pursuant to said section 27; (ii) generally prevailing
financial market conditions; (iii) the impact of each financing approach on the overall capital
financing plans and needs of the commonwealth; (iv) any ratings assigned to outstanding bonds
of the commonwealth and any ratings expected to be assigned by any nationally-recognized
credit rating agency to the bonds or notes proposed to be issued; and (v) any applicable
provisions of said chapter 29.

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

SECTION 37. Notwithstanding any general or special law to the contrary, in carrying
out this act, the Massachusetts Department of Transportation may enter into contracts,
agreements or transactions that may be appropriate with other federal, state, local or regional
public agencies or authorities, that may relate to such matters as the department shall determine
including, but not limited to, the research, design, layout, construction, reconstruction or
management of construction of all or a portion of these projects. In relation to any such contracts,
agreements or transactions, the department may advance funds to such agencies or authorities,
without prior expenditure by the agencies or authorities, and the agencies and authorities may
accept such funds as necessary to carry out these contracts, agreements or transactions; provided,
however, that the department shall certify to the comptroller the amounts so advanced and the
contracts, agreements or transactions shall contain provisions satisfactory to the department for the accounting of any funds expended by any other agency or authority. All funds not expended under these contracts, agreements or transactions shall be credited to the account of the department from which they were advanced.

SECTION 38. (a) Notwithstanding any general or special law to the contrary, the Massachusetts Department of Transportation shall expend the sums authorized in sections 2 to 2C, inclusive, and section 2G for: (i) projects for the laying out, construction, reconstruction, resurfacing, relocation or the beneficial improvement of highways, bridges, bicycle paths or facilities, on-street and off-street bicycle projects, sidewalks, telecommunications, parking facilities, auto-restricted zones, scenic easements, grade crossing eliminations and alterations of other crossings, traffic safety devices on state highways and on roads constructed pursuant to clause (b) of the second paragraph of section 4 of chapter 6C of the General Laws; (ii) highway or mass transportation studies including, but not limited to, traffic, environmental or parking studies; (iii) the establishment of school zones pursuant to section 2 of chapter 85 of the General Laws; (iv) improvements on routes not designated as state highways without assumption of maintenance responsibilities; (v) projects to alleviate contamination of public and private water supplies caused by the department’s storage and use of snow removal chemicals which are necessary for highway safety, for the relocation of persons or businesses or for the replacement of dwellings or structures including, but not limited to, providing last resort housing under federal law and any functional replacement of structures in public ownership that may be necessary for the foregoing purposes and for relocation benefits to the extent necessary to satisfy the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. 4601 et seq., Public Law 97-646; and (vi) to sell any structure the title to
which has been acquired for highway purposes. Environmental studies conducted pursuant to this subsection may include an assessment of both existing and proposed highway rest stop facilities to determine the cost-effectiveness of sanitary facilities that use zero-pollution discharge technologies, including recycling greywater systems. If dwellings or other structures are removed in furtherance of any of these projects, the excavations or cellar holes remaining shall be filled in and brought to grade within 1 month after the removal. In planning projects funded by section 2A, consideration shall be given, to the extent feasible, to accommodate and incorporate provisions to facilitate the use of bicycles and walking as a means of transportation. Nothing in this section shall be construed to give rise to enforceable legal rights of any party or a cause of action or an enforceable entitlement as to the projects described in this section.

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

(c) The Massachusetts Department of Transportation may: (i) expend funds made available in this act to acquire by lease, purchase, eminent domain pursuant to chapter 79 of the General Laws or otherwise, land or rights in land for parking facilities adjacent to a public way to be operated by the department or under contract with an individual; (ii) expend funds made available in this act for the acquisition of van-type vehicles used for multi-passenger, commuter-driven carpools and high-occupancy vehicles including, but not limited to, water shuttles and water taxis; and (iii) pursuant to all applicable state and federal laws and regulations, exercise all powers and do all things necessary and convenient to carry out this act.
(d) The Massachusetts Department of Transportation may enter into contracts or agreements with cities to mitigate the effects of projects undertaken pursuant to this act and to undertake additional transportation measures within the city and may enter into contracts, agreements or transactions with other federal, state, local or regional public agencies, authorities, nonprofit organizations or political subdivisions that may be necessary to implement these contracts or agreements with cities. Cities and other state, local or regional public agencies, authorities, nonprofit organizations or political subdivisions may enter into these contracts, agreements or transactions with the department. In relation to such contracts, agreements or other transactions, the department may advance to such agencies, nonprofit organizations, political subdivisions or authorities, without prior expenditure by the agencies, nonprofit organizations, political subdivisions or authorities, funds necessary to carry out these contracts, agreements or other transactions; provided, however, that the department shall certify to the comptroller the amount so advanced and all funds not expended under such contracts, agreements or other transactions shall be credited to the account of the department from which they were advanced.

The department shall report to the house and senate committees on ways and means on any transfers completed pursuant to this subsection.

SECTION 39. Notwithstanding any general or special law to the contrary, the Massachusetts Department of Transportation shall take all necessary actions to secure federal highway or transportation assistance that is or may become available to the department including, but not limited to, actions authorized pursuant to or in compliance with any of the following: Title 23 of the United States Code; the Surface Transportation and Uniform Relocation Act of 1987, Public Law 100-17; the Intermodal Surface Transportation Efficiency Act of 1991, Public Law 102-240; the Transportation Equity Act for the 21st Century, Public
Law 105-178; the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, Public Law 109-59; Implementing Recommendations of the 9/11 Commission Act of 2007, Public Law 110-53; the Moving Ahead for Progress in the 21st Century Act of 2012, Public Law 112-141; Fixing America’s Surface Transportation Act of 2015, Public Law 114-94; and any successor or reauthorizations of those acts, and make take such actions, including filing applications for federal assistance, supervising the expenditure of funds under federal grants or other assistance agreements and making any determinations and certifications necessary or appropriate to the foregoing. If a federal law, administrative regulation or practice requires an action relating to federal assistance to be taken by a department, agency or other instrumentality of the commonwealth other than the Massachusetts Department of Transportation, the other department, agency or instrumentality shall take such action.

SECTION 40. The secretary of administration and finance and the secretary of transportation shall submit a report on the progress of any projects funded under this act and included in the Massachusetts Department of Transportation’s 5-year capital investment plan to the clerks of the senate and house of representatives, the house and senate committees on ways and means and the house and senate committees on bonding, capital expenditures and state assets. The report shall include, but not be limited to: (i) previous year planned spending; (ii) previous year spending; (iii) current year planned spending; (iv) current year spending to date; (v) original estimated total project cost and current estimated total project cost; and (vi) project description and location of the project. The report shall be submitted biannually on June 30 and December 31 for 8 years following the effective date of this act. All reports shall be made available on the department’s website.
SECTION 41. Notwithstanding any general or special law to the contrary, the unexpended balances of all capital accounts authorized in chapter 86 of the acts of 2008, chapter 233 of the acts of 2008, chapter 303 of the acts of 2008, chapter 10 of the acts of 2011, chapter 133 of the acts of 2012, chapter 242 of the acts of 2012, chapter 79 of the acts of 2014, chapter 209 of the acts of 2018 and chapter 16 of the acts of 2019 which otherwise would revert on or before June 30, 2020, but which are necessary to fund obligations during fiscal years 2020 to 2024, inclusive, are hereby reauthorized through June 30, 2024.

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