

HOUSE No. 4867

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, June 13, 2022.

The committee on Bonding, Capital Expenditures and State Assets, to whom was referred the Bill relative to Massachusetts's transportation resources and climate (House, No. 4798), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4867) [Bond Issue: General Obligation Bonds: \$5,786,100,000.00].

For the committee,

DANIELLE W. GREGOIRE.

HOUSE No. 4867

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to Massachusetts’s transportation resources and climate.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to finance forthwith improvements to the commonwealth’s environmental and transportation infrastructure, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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

1 SECTION 1. To provide for a program of investments to make the commonwealth’s
2 transportation system more reliable, address deferred maintenance and modernize and expand the
3 system and for a program for public alternative fueling and electric vehicle charging
4 infrastructure, the sums set forth in sections 2 to 2J, inclusive, for the several purposes and
5 subject to the conditions specified in this act, are hereby made available, subject to the laws
6 regulating the disbursement of public funds; provided, however, that the amounts specified in an
7 item or for a particular project may be adjusted in order to facilitate projects authorized in this
8 act. The sums made available in this act shall be in addition to any amounts previously made
9 available for these purposes.

10 SECTION 2.

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MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

Highway Division

6121-2214. 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, electric vehicle charging infrastructure; provided further, that funds may be expended for the costs of projects and programs included in the Infrastructure and Investment in Jobs Act of 2021 (IIJA) also known as the Bipartisan Infrastructure Law (BIL), Public Law No. 117-58; 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..... \$2,812,457,157

SECTION 2A.

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

Highway Division

32 6121-2217. For the design, construction and repair of, or improvements to, non-federally
33 aided roadway and bridge projects and for the nonparticipating portion of federally-aided
34 projects; provided, that the department may use these funds for the purchase and rehabilitation of
35 facilities, heavy equipment and other maintenance equipment; provided further, that the
36 department may use these funds for multi-modal facilities; provided further, that the amounts
37 specified in this item for a particular project or use, if any, may be adjusted in order to facilitate
38 other projects relating to the design, construction, repair or improvement to non-federally aided
39 roadway and bridge projects; provided further, that in connection with any reconstruction of the
40 Boston extension, as defined in section 1 of chapter 6C, funds shall be expended for the
41 reconstruction and replacement of bridges that span said Boston extension between mile markers
42 130 and 131; and provided further, that funds may be expended for the costs of projects and
43 programs included in the Infrastructure and Investment in Jobs Act of 2021 (IIJA) also known as
44 the Bipartisan Infrastructure Law (BIL), Public Law No. 117-
45 58.....\$1,270,000,000

46 6121-2257. For the construction, reconstruction, resurfacing, repair and improvement of
47 pavement and surface conditions on non- federally aided roadways, including, but not limited to,
48 state numbered routes and municipal roadways; provided, that expenditures from this item may
49 include the costs of engineering, design, permitting, climate change adaptation and resilience,
50 and other services essential to projects under this item.....\$85,000,000

51 SECTION 2B.

52 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

53 *Highway Division*

54 6121-2228. For the construction, reconstruction, resurfacing, repair and improvement of
55 pavement and surface conditions on municipal roadways; provided, that expenditures from this
56 item may include the costs of engineering, design, permitting, climate change adaptation and
57 resilience and other services essential to projects under this item; provided further, that funds
58 may be expended from this item for matching grants to municipalities; provided further, that the
59 department may use these funds for improving the condition of bicycle and pedestrian
60 accommodations related to such roadway projects consistent with principles of the complete
61 streets program established under chapter 90I of the General Laws when feasible; provided
62 further, that in connection with a grant under this item, a city or town shall comply with the
63 procedures established by the department with respect to municipal roadways in the pavement
64 improvement program.....\$25,000,000

65 6121-2238. For the complete streets program established under chapter 90I of the
66 General Laws, as amended for complete streets grants to municipalities; provided further, that
67 not less than 33 per cent of the grants awarded shall be issued to cities and towns with a median
68 household income below the average of the commonwealth.....\$20,000,000

69 6921-2110 For grants to transportation management associations; provided, that grants
70 shall be expended on services that reduce vehicle congestion and improve air quality and that
71 enhance transportation demand management activities, including, but not limited to, the
72 following: (i) the marketing and promotion of existing and new park-and-ride and existing and
73 new carpooling and van pooling alternatives; (ii) the operation and coordination of bus and
74 shuttle services between existing transportation facilities, major employment centers and
75 commercial and retail centers; and (iii) the underwriting of active marketing and outreach
76 programs to support such services.....\$25,000,000

77 SECTION 2C.

78 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

79 *Rail and Transit Division*

80 6621-2217. For the purpose of implementing rail improvements pursuant to chapter 161C
 81 of the General Laws; provided, that funds may also be used for transportation planning, design,
 82 permitting, acquisition of interests in land and engineering for rail projects, including the
 83 industrial rail access program; provided further, that not less than \$6,000,000 per fiscal year shall
 84 be expended for said industrial rail access program; provided further, that the department may
 85 use funds from this item for the costs of engineering and other services essential to these
 86 projects; and provided further, that the department may use these funds for a particular project or
 87 use may be adjusted in order to facilitate other projects, if any.....\$82,000,000

88 6622-2217. For the purposes of chapter 161B of the General Laws, including, but not
 89 limited to, projects that may maintain and improve the overall condition, reliability and
 90 resiliency of regional transit networks and facilities, including the purchase and rehabilitation of
 91 rolling stock, low or no emission vehicles and other infrastructure and equipment required to
 92 support such rolling stock, related assets and support equipment, rehabilitation of regional transit
 93 authority facilities, including maintenance, and passenger facilities and purchase of related
 94 appurtenances, equipment, technology and tools; provided, that funds may be expended for the
 95 purchase or rehabilitation of vehicles of all sizes to better reflect and accommodate rider
 96 demand; provided further, that funds may be expended for the costs of projects and programs
 97 included in the Infrastructure and Investment in Jobs Act of 2021 (IIJA) also known as the
 98 Bipartisan Infrastructure Law (BIL), Public Law No. 117-58.....\$64,900,000

99 SECTION 2D.

100 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

101 *Office of the Secretary*

102 6621-2208. For the purpose of implementing sustainable transit system modernization
103 investments and rail improvements pursuant to chapter 161A of the General Laws; provided, that
104 funds may be used for transportation planning, design, permitting and engineering, right- of-way
105 acquisition, acquisition of interests in land, vehicle procurement, construction and climate
106 change adaptation and resilience improvements, including, without limitation, construction,
107 reconstruction, retrofitting, resilience, efficiency improvements and modernization of stations,
108 signals, tracks, power and electrical systems, planning, design, permitting and engineering,
109 acquisition of interests in and rights to land, construction and reconstruction, improvement,
110 expansion, renovation, repair, relocation and equipping of maintenance and storage facilities,
111 including, but not limited to, technology to support and service battery electric, hybrid and other
112 low emission transit vehicles; and for heavy rail, light rail and bus projects, which projects shall
113 include, but shall not be limited to, the red line, orange line, green line, silver line and blue line,
114 including feasibility and planning studies and capital support for pilot services; provided further,
115 that funds may be used for modernizing the bus fleet and associated infrastructure of the
116 Massachusetts Bay Transportation Authority system, including, but not limited to,
117 implementation of the so-called Better Bus Project; provided further, that funds shall be
118 expended on the electrification of commuter rail system and water transportation infrastructure;
119 provided further, that funds may be used for the purpose of implementing the green line
120 transformation program including, but not limited to, planning, design and procurement of

121 rolling stock including, but not limited to, Green Line Type 10 vehicles, to improve service and
122 reliability, enhance rider accessibility and increase capacity; provided further, that funds may be
123 used for the purchase and rehabilitation of heavy equipment and other maintenance equipment;
124 provided further, that funds may be used for safety, accessibility and security equipment and
125 improvements, energy efficiency, climate change adaptation and emergency preparedness,
126 bicycle and pedestrian access improvements and so-called “last mile” capital improvements;
127 provided further, that final assembly of the orange line and red line non-pilot production
128 vehicles, as defined within the Massachusetts Bay Transportation Authority’s procurement of
129 said vehicles, shall take place in the commonwealth; provided further, that the relative weight of
130 all the criteria used for the selection of the red line and orange line vehicle proposals shall be
131 determined by the Massachusetts Bay Transportation Authority; provided further, that funds may
132 be expended for the costs of projects and programs included in the Infrastructure and Investment
133 in Jobs Act of 2021 (IIJA) also known as the Bipartisan Infrastructure Law (BIL), Public Law
134 No. 117-58.....\$1,375,000,000

135 SECTION 2E.

136 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

137 *Aeronautics Division*

138 6820-2217. For the airport improvement program pursuant to section 39A of chapter 90
139 of the General Laws, including, but not limited to, aeronautics safety and modernization
140 improvements; provided, that funds may be expended for the costs of projects and programs
141 included in the Infrastructure and Investment in Jobs Act of 2021 (IIJA) also known as the
142 Bipartisan Infrastructure Law (BIL), Public Law No. 117-58.....\$114,100,000

143 SECTION 2F.

144 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

145 *Office of the Secretary*

146 6720-2217. For transportation planning and programming related to all modes, including,
147 but not limited to, active transportation, bicycle and pedestrian travel, rail and transit and
148 automobiles and associated assets including, but not limited to, roads, bridges, transit facilities,
149 shared-use paths and bicycle and pedestrian and other multi-modal facilities essential to the
150 provision of transportation services for system users; provided, that funds may be expended for
151 the maintenance, improvement and expansion of shared use paths and support for multi-modal
152 networks that may enhance mobility or promote sustainable modes of transportation across the
153 commonwealth; provided further, that funds may be expended for the acquisition of information
154 technologies that will support department data and asset management initiatives; provided
155 further, that funds may be expended for compliance with federal mandates and other statutory
156 requirements including modal studies to help establish the framework for the department to
157 adopt policies and programs to enhance delivery of services within all modes; provided further,
158 that funds may be expended to reduce energy usage, enhance climate change resilience,
159 adaptation and mitigation and support reduction of greenhouse gas emissions from
160 transportation; provided further, that this item may be used to support and leverage municipal,
161 quasi-public, nonprofit and private investments.....\$145,000,000

162 6720-2258. For a public realm improvement program; provided, that funds shall be used
163 for the purpose of grants to municipalities for improvements to sidewalks, curbs, streets, and
164 parking spaces to create additional capacity for pedestrians and cyclists and reimagine and

165 repurpose street space in response to the 2019 novel coronavirus to support public health, safe
166 mobility and renewed commerce.....\$10,000,000

167 SECTION 2G.

168 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

169 *Office of the Secretary*

170 6720-2215. For projects funded with discretionary federal grant funds for eligible
171 projects in the federal highway system, federal transit system, federal aviation administration
172 system or federal rail system; provided, that funds may be expended for the costs of these
173 projects including, but not limited to, the nonparticipating portions of these projects and the costs
174 of engineering and other services essential to these projects; provided further, that funds may be
175 expended for bicycle, pedestrian and other multi-modal facilities, electric vehicle charging
176 infrastructure; provided further, that funds may be expended for the costs of projects and
177 programs provided for in the Infrastructure and Investment in Jobs Act of 2021 (IIJA) also
178 known as the Bipartisan Infrastructure Law (BIL), Public Law No. 117-58; provided further, that
179 notwithstanding this act or any other general or special law to the contrary, the department shall
180 not enter into any obligations for projects which are eligible to receive federal funds under this
181 act unless state matching funds exist which have been specifically authorized and are sufficient
182 to fully fund the corresponding state portion of the federal commitment to fund these obligations;
183 provided further, that on public works projects funded under this item where the amount of
184 construction costs under any contract awarded is likely to exceed \$1,000,000, not less than 20
185 per cent of the total hours of employees receiving an hourly wage who are directly employed on
186 the site of the project by the contractor or a subcontractor and who are subject to the prevailing

187 wage, shall be performed by apprentices in bona fide apprentice training programs as provided in
188 sections 11H and 11I of chapter 23 of the General Laws that are approved by the division of
189 apprentice standards in the executive office of labor and workforce development; and provided
190 further, that the department shall only enter into obligations for projects under this act based
191 upon a prior or anticipated future commitment of federal funds and the availability of
192 corresponding state funding authorized and appropriated for this use by the general court for the
193 class and category of project for which this obligation applies.....\$3,500,000,000

194 SECTION 2H.

195 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

196 *Rail and Transit Division*

197 6622-2214. For the purposes of implementing the mobility assistance program pursuant
198 to section 13 of chapter 637 of the acts of 1983 and regional intercity bus and intermodal service;
199 provided, that funds may also be used for transportation planning, design, permitting, acquisition
200 of interests in land and engineering for bus and other transit projects; provided further, that funds
201 may be expended for the costs of projects and programs included in the Infrastructure and
202 Investment in Jobs Act of 2021 (IIJA) also known as the Bipartisan Infrastructure Law (BIL),
203 Public Law No. 117-58.....\$25,501,000

204 SECTION 2I.

205 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

206 *Office of the Secretary*

207 2000-2030. For the purposes of developing and implementing programs to promote,
208 establish or expand public alternative fueling stations and electric vehicle charging infrastructure,
209 the development and implementation of incentive programs promoting e-bikes and public
210 transportation, replacement of high-emissions vehicles, electric vehicles for hire and carsharing,
211 electric school buses, electric short-haul freight and delivery trucks, and other pilot projects that
212 focus on equity and inclusion while reducing emissions; provided that such funds may be used to
213 support community organizations and local programs which reduce vehicle emissions; provided
214 further, that not less than \$25,000,000 shall be expended for grants under the MassEVIP Direct
215 Current Fast Charging Program; and provided further, that funds may be expended for the costs
216 of projects and programs provided for in the Infrastructure and Investment in Jobs Act of 2021
217 (IIJA) also known as the Bipartisan Infrastructure Law (BIL), Public Law No. 117-
218 58.....\$150,000,000

219 SECTION 2J.

220 EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

221 Office of the Secretary

222 2000-2031. For the purposes of developing and implementing programs to promote,
223 establish or expand public alternative fueling stations and electric vehicle charging infrastructure,
224 the development and implementation of incentive programs promoting e-bikes and public
225 transportation, replacement of high-emissions vehicles, electric vehicles for hire and carsharing,
226 electric school buses, electric short-haul freight and delivery trucks, and other pilot projects that
227 focus on equity and inclusion while reducing emissions; provided that such funds may be used to
228 support community organizations and local programs which reduce vehicle emissions; provided

229 further, that funds may be expended for the costs of projects and programs provided for in the
230 Infrastructure and Investment in Jobs Act of 2021 (IIJA) also known as the Bipartisan
231 Infrastructure Law (BIL), Public Law No. 117-58.....\$d

232 SECTION 3. Section 40 of chapter 82 of the General Laws, as appearing in the 2020
233 Official Edition, is hereby amended by inserting, in lines 4-5, after the words "cable television
234 company," the following words:- "municipal traffic signal department,".

235 SECTION 4. Said section 40 of said chapter 82, as so appearing, is hereby further
236 amended by inserting the following two definitions after the definition of "Excavator":-

237 "Marking standards", the methods by which a company designates its facilities in
238 accordance with standards established by the Common Ground Alliance (CGA) and the
239 American Public Works Association.

240 "Non-mechanical means", shall mean excavation using any device or tool manipulated by
241 human power, including air vacuum, air blowing or similar methods of excavation designed to
242 minimize direct contact with utilities.

243 SECTION 5. Said section 40 of said chapter 82, as so appearing, is hereby further
244 amended by inserting the following definition after the definition of "Premark":-

245 "Professional Land Surveyor", shall have the same definition as set forth in section 81D
246 of chapter 112.

247 SECTION 6. Section 40A of said chapter 82, as so appearing, is hereby amended by
248 inserting after the first paragraph the following paragraph:

249 Any Professional Land Surveyor working on a preliminary design for a new facility or
250 renovation where excavation shall be necessary shall premark the proposed excavation and give
251 initial notice to the system.

252 SECTION 7. Section 40B of said chapter 82, as so appearing, is hereby amended by
253 inserting after the words "the excavator" the following words:- or Professional Land Surveyor

254 SECTION 8. Said section 40B of said chapter 82, as so appearing, is hereby further
255 amended by inserting the following sentence at the end thereof:-

256 A company shall conduct periodic audits to ensure the accuracy of the locating and
257 marking of facilities as well as its adherence to marking standards.

258 SECTION 9. Section 40E of said chapter 82, as so appearing, is hereby amended by
259 inserting the following sentence at the end thereof:-

260 The department of public utilities may require any person or company who does not
261 comply with the provisions of sections 40A to 40E to complete a "Dig Safe" training program in
262 lieu of a fine for a first offense.

263 SECTION 10. Section 7E of chapter 90 of the General Laws, as appearing in the 2020
264 Official Edition, is hereby amended by inserting, in line 68, after the word "registrar", the
265 following words:- , or (vii) a vehicle or equipment owned or used by the Massachusetts
266 Department of Transportation established by section 2 of chapter 6C in connection with
267 maintenance or construction activities in highway work zones at which a law enforcement officer
268 is present and only by the authority of a permit issued by the registrar,.

269 SECTION 11. Section 46 of Chapter 161A of the General Laws, as appearing in the 2020
270 Official Edition, is hereby amended by adding the following paragraph:

271 The authority shall provide adequate parking alternatives to commuters during any
272 demolition or reconstruction of any parking lots or parking garages owned or operated by the
273 authority. The authority shall consider (1) the number of spots being affected by the project and
274 (2) the average number of weekday commuters utilizing the parking facility, using ridership
275 levels from 2019, in order to determine how many alternative spots are required.

276 SECTION 12. Notwithstanding the first sentence of subsection (a) of section 39M of
277 chapter 30 of the General Laws, the Massachusetts Department of Transportation Division of
278 Highways, as created by Section 37 of Chapter 6C of the General Laws, may procure as a pilot
279 program in the discretion of said Division, three public works projects pursuant to said section
280 39M of said Chapter 30 that are expected to interfere with the movement of traffic or the
281 traveling public through a bidding method known as cost-plus-time procurement that awards the
282 project to the responsible and eligible bidder with the lowest bid value after taking into account
283 the amount of time that the bidder has identified in the bid for completion of the project ;
284 provided, two of the three projects shall each have estimated values up to but not exceeding \$25
285 million, and one of the three projects shall have an estimated value up to but not exceeding \$50
286 million; provided further, prior to procuring each said pilot project, the Division shall have
287 secured all requisite permits, including, but not limited to, environmental, historical, and right of
288 way permits; provided further, said Division shall be responsible for utility relocations, police
289 details, and any delays resulting from unavailable materials; and, provided further, said Division
290 of Highways may reject any bid if it is in the public interest to do so. The Administrator of said
291 Division shall establish, in consultation with the office of the inspector general such additional

292 procurement requirements, procedures and project standards as are necessary to encourage full
293 competition and best construction practices. Prior to approving the procurement procedures
294 herein, the office of the inspector general shall seek input and comment on the procurement
295 procedures from the Construction Industries of Massachusetts, Inc. and American Council of
296 Engineering Companies.

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

303 SECTION 13. Notwithstanding any general or special law to the contrary, capital
304 appropriations made pursuant to sections 2 to 2J, inclusive, shall be available for expenditure in
305 the 10 fiscal years following June 30 of the calendar year in which the appropriation is made and
306 any portion of such appropriation representing encumbrances outstanding on the records of the
307 comptroller's office at the close of the tenth fiscal year may be applied to the payment thereof
308 any time thereafter. The unencumbered balance shall revert to the commonwealth at the close of
309 the tenth fiscal year.

310 SECTION 14. Notwithstanding any general or special law to the contrary, in carrying out
311 this act, the Massachusetts Department of Transportation may enter into contracts, agreements or
312 transactions that may be appropriate with other federal, state, local or regional public agencies or
313 authorities. The contracts, agreements or transactions may relate to such matters as the

314 department shall determine including, without limitation, the research, design, layout,
315 construction, reconstruction or management of construction of all or a portion of these projects.
316 In relation to any such contracts, agreements or transactions, the department may advance
317 monies to such agencies or authorities, without prior expenditure by the agencies or authorities,
318 and the agencies and authorities may accept monies necessary to carry out these agreements;
319 provided, however, the department shall certify to the comptroller the amounts so advanced and
320 these agreements shall contain provisions satisfactory to the department for the accounting of
321 monies expended by any other agency or authority. All monies not expended under these
322 contracts, agreements or transactions shall be credited to the account of the department from
323 which they were advanced.

324 SECTION 15. (a) Notwithstanding any general or special law to the contrary, the
325 Massachusetts Department of Transportation shall expend the sums authorized in sections 2
326 through 2B, inclusive, and sections 2F and 2G, for the following purposes: any federally eligible
327 projects, projects for the laying out, construction, reconstruction, resurfacing, relocation or
328 necessary or beneficial improvement of highways, bridges, bicycle paths or facilities, on-street
329 and off-street bicycle projects, sidewalks, telecommunications, parking facilities, auto-restricted
330 zones, scenic easements, grade crossing eliminations and alterations of other crossings, traffic
331 safety devices on state highways and on roads constructed pursuant to clause (b) of the second
332 paragraph of section 4 of chapter 6C of the General Laws, highway or mass transportation
333 studies including, but not limited to, traffic, environmental or parking studies, the establishment
334 of school zones pursuant to section 2 of chapter 85 of the General Laws, improvements on routes
335 not designated as state highways without assumption of maintenance responsibilities, projects to
336 alleviate contamination of public and private water supplies caused by the department's storage

337 and use of snow removal chemicals which are necessary for the purposes of highway safety, for
338 the relocation of persons or businesses or for the replacement of dwellings or structures
339 including, but not limited to, providing last resort housing under federal law and any functional
340 replacement of structures in public ownership that may be necessary for the foregoing purposes
341 and for relocation benefits to the extent necessary to satisfy the requirements of the Uniform
342 Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. 4601 et
343 seq., Public Law 97-646 and to sell any structure the title to which has been acquired for
344 highway purposes; provided further, that funds may be expended for the costs of projects and
345 programs provided for in the Infrastructure and Investment in Jobs Act of 2021 (IIJA) also
346 known as the Bipartisan Infrastructure Law (BIL), Public Law No. 117-58. Environmental
347 studies conducted pursuant to this subsection may include an assessment of both existing and
348 proposed highway rest stop facilities to determine the cost-effectiveness of sanitary facilities that
349 use zero- pollution discharge technologies, including recycling greywater systems. When
350 dwellings or other structures are removed in furtherance of any of these projects, the excavations
351 or cellar holes remaining shall be filled in and brought to grade within 1 month after the removal.
352 In planning projects funded by section 2A, consideration shall be made, to the extent feasible, to
353 accommodate and incorporate provisions to facilitate the use of bicycles and walking as a means
354 of transportation. Nothing in this section shall be construed to give rise to enforceable legal
355 rights in any party or a cause of action or an enforceable entitlement as to the projects described
356 in this section.

357 (b) Funds authorized in sections 2A and 2B shall, except as otherwise specifically
358 provided in this act, be subject to the first paragraph of section 6 and sections 7 and 9 of chapter
359 718 of the acts of 1956, if applicable, and, notwithstanding any general or special law to the

360 contrary, may be used for the purposes stated in this act in conjunction with funds of cities,
361 towns and political subdivisions.

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

370 (d) The Massachusetts Department of Transportation may enter into contracts or
371 agreements with cities to mitigate the effects of projects undertaken pursuant to this act and to
372 undertake additional transportation measures within the city and may enter into contracts,
373 agreements or transactions with other federal, state, local or regional public agencies, authorities,
374 nonprofit organizations or political subdivisions that may be necessary to implement these
375 contracts or agreements with cities. Cities and other state, local or regional public agencies,
376 authorities, nonprofit organizations or political subdivisions may enter into these contracts,
377 agreements or transactions with the department. In relation to these agreements, the department
378 may advance to these agencies, nonprofit organizations, political subdivisions or authorities,
379 without prior expenditure by the agencies, nonprofit organizations, political subdivisions or
380 authorities, monies necessary to carry out these agreements; provided, however, that the
381 department shall certify to the comptroller the amount so advanced and all monies not expended
382 under these agreements shall be credited to the account of the department from which they were

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

385 SECTION 16. Notwithstanding any general or special law to the contrary, the
386 Massachusetts Department of Transportation shall take all necessary actions to secure federal
387 highway or transportation assistance that is or may become available to the department
388 including, but not limited to, actions authorized pursuant to or in compliance with any of the
389 following: Title 23 of the United States Code; the Surface Transportation and Uniform
390 Relocation Act of 1987, Public Law 100-17; the Intermodal Surface Transportation Efficiency
391 Act of 1991, Public Law 102-240; the Transportation Equity Act for the 21st Century, Public
392 Law 105-178; the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy
393 for Users, Public Law 109-59; Implementing Recommendations of the 9/11 Commission Act of
394 2007, Public Law 110-53; the Moving Ahead for Progress in the 21st Century Act of 2012,
395 Public Law 112-141; Fixing America’s Surface Transportation Act of 2015, Public Law 114-94;
396 Infrastructure and Investment in Jobs Act of 2021 (IIJA) also known as the Bipartisan
397 Infrastructure Law (BIL), Public Law No. 117-58 and any successor or reauthorizations of those
398 acts, and such actions, including filing applications for federal assistance, supervising the
399 expenditure of funds under federal grants or other assistance agreements, and making any
400 determinations and certifications necessary or appropriate to the foregoing. If a federal law,
401 administrative regulation or practice requires an action relating to federal assistance to be taken
402 by a department, agency or other instrumentality of the commonwealth other than the
403 Massachusetts Department of Transportation, the other department, agency or instrumentality
404 shall take such action.

405 SECTION 17. Notwithstanding any general or special law to the contrary, the
406 unexpended balances of all capital accounts authorized in chapter 86 of the acts of 2008, chapter
407 233 of the acts of 2008, chapter 303 of the acts of 2008, chapter 10 of the acts of 2011, chapter
408 133 of the acts of 2012, chapter 242 of the acts of 2012, chapter 79 of the acts of 2014, chapter
409 209 of the acts of 2018, chapter 16 of the acts of 2019, which otherwise would revert on or
410 before June 30, 2022, but which are necessary to fund obligations during fiscal years 2022 to
411 2026, inclusive, are hereby reauthorized through June 30, 2026.

412 SECTION 18. To meet any or all expenditures necessary in carrying out item 6121-2214
413 of section 2, the state treasurer shall, upon request of the governor, issue and sell bonds of the
414 commonwealth in an amount to be specified by the governor from time to time but not
415 exceeding, in the aggregate, \$611,800,000. All bonds issued by the commonwealth pursuant to
416 this section shall be designated on their face, Commonwealth Infrastructure Improvement Act of
417 2022 and shall be issued for a maximum term of years, not exceeding 30 years, as the governor
418 may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to
419 the Constitution. All such bonds shall be payable not later than June 30, 2062. All interest and
420 payments on account of principal on these obligations shall be payable from the General Fund or
421 the Commonwealth Transportation Fund.

422 SECTION 19. To meet any or all expenditures necessary in carrying out sections 2A to
423 2B, inclusive, the state treasurer shall, upon request of the governor, issue and sell bonds of the
424 commonwealth in an amount to be specified by the governor from time to time but not
425 exceeding, in the aggregate, \$1,425,000,000. All bonds issued by the commonwealth pursuant to
426 this section shall be designated on their face, Commonwealth Infrastructure Improvement Act of
427 2022, and shall be issued for a maximum term of years, not exceeding 30 years, as the governor

428 may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to
429 the Constitution. All such bonds shall be payable not later than June 30, 2062. All interest and
430 payments on account of principal on these obligations shall be payable from the General Fund or
431 the Commonwealth Transportation Fund.

432 SECTION 20. To meet the expenditures necessary in carrying out section 2C, the state
433 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
434 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
435 \$146,900,000. All bonds issued by the commonwealth pursuant to this section shall be
436 designated on their face, Commonwealth Infrastructure Improvement Act of 2022, and shall be
437 issued for a maximum term of years, not exceeding 20 years, as the governor may recommend to
438 the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution.
439 All such bonds shall be payable not later than June 30, 2052. All interest and payments on
440 account of principal on these obligations shall be payable from the General Fund or the
441 Commonwealth Transportation Fund.

442 SECTION 21. To meet the expenditures necessary in carrying out section 2D, the state
443 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
444 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
445 \$1,375,000,000. All bonds issued by the commonwealth under this section shall be designated on
446 their face, Commonwealth Infrastructure Improvement Act of 2022 and shall be issued for a
447 maximum term of years, not exceeding 30 years, as the governor may recommend to the general
448 court pursuant to section 3 of Article LXII of the Amendments to the Constitution. All such
449 bonds shall be payable not later than June 30, 2062. Bonds and interest thereon issued under this
450 section shall be general obligations of the commonwealth; provided, however, that any bonds

451 issued by the state treasurer under this section shall, upon the request of the governor, be issued
452 as special obligation bonds pursuant to section 2O of chapter 29 of the General Laws; provided
453 further, that in deciding whether to request the issuance of particular bonds as special
454 obligations, the governor shall take into account: (i) generally prevailing financial market
455 conditions; (ii) the impact of each approach on the overall capital financing plans and needs of
456 the commonwealth; (iii) any ratings assigned to outstanding bonds of the commonwealth and any
457 ratings expected to be assigned by any nationally-recognized credit rating agency to the bonds
458 proposed to be issued; and (iv) any applicable provisions of a trust agreement or credit
459 enhancement agreement entered into pursuant to said section 2O of said chapter 29. All special
460 obligation revenue bonds issued pursuant to this section shall be designated on their face,
461 Commonwealth Rail Enhancement Act of 2022 and shall be issued for a maximum term of years,
462 not exceeding 30 years, as the governor may recommend to the general court pursuant to section
463 3 of Article LXII of the Amendments to the Constitution; provided, however, that all such bonds
464 shall be payable not later than June 30, 2062. All interest and payments on account of these
465 obligations shall be payable from the Commonwealth Transportation Fund and shall be payable
466 solely in accordance with said section 2O of said chapter 29, and such bonds shall not be
467 included in the computation of outstanding bonds for purposes of the limit imposed by the
468 second paragraph of section 60A of chapter 29 of the General Laws, nor shall debt service with
469 respect to such bonds be included in the computation of the limit imposed by section 60B of said
470 chapter 29.

471 SECTION 22. To meet the expenditures necessary in carrying out section 2E, the state
472 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
473 amount to be specified by the governor from time to time but not exceeding, in the aggregate,

474 \$114,100,000. All bonds issued by the commonwealth pursuant to this section shall be
475 designated on their face, Commonwealth Infrastructure Improvement Act of 2022 and shall be
476 issued for a maximum term of years, not exceeding 20 years, as the governor may recommend to
477 the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution.
478 All such bonds shall be payable not later than June 30, 2052. All interest and payments on
479 account of principal on these obligations shall be payable from the General Fund or the
480 Commonwealth Transportation Fund.

481 SECTION 23. To meet the expenditures necessary in carrying out section 2F, the state
482 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
483 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
484 \$155,000,000. All bonds issued by the commonwealth pursuant to this section shall be
485 designated on their face, Commonwealth Infrastructure Improvement Act of 2022 and shall be
486 issued for a maximum term of years, not exceeding 10 years, as the governor may recommend to
487 the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution.
488 All such bonds shall be payable not later than June 30, 2042. All interest and payments on
489 account of principal on these obligations shall be payable from the General Fund or the
490 Commonwealth Transportation Fund.

491 SECTION 24. To meet any or all expenditures necessary in carrying out section 2G, the
492 state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in
493 an amount to be specified by the governor from time to time but not exceeding, in the aggregate,
494 \$1,750,000,000. All bonds issued by the commonwealth pursuant to this section shall be
495 designated on their face, Commonwealth Infrastructure Improvement Act of 2022 and shall be
496 issued for a maximum term of years, not exceeding 30 years, as the governor may recommend to

497 the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution.
498 All such bonds shall be payable not later than June 30, 2062. All interest and payments on
499 account of principal on these obligations shall be payable from the General Fund or the
500 Commonwealth Transportation Fund.

501 SECTION 25. To meet the expenditures necessary in carrying out section 2H, the state
502 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
503 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
504 \$8,300,000. All bonds issued by the commonwealth pursuant to this section shall be designated
505 on their face, Commonwealth Infrastructure Improvement Act of 2022 and shall be issued for a
506 maximum term of years, not exceeding 30 years, as the governor may recommend to the general
507 court pursuant to section 3 of Article LXII of the Amendments to the Constitution. All such
508 bonds shall be payable not later than June 30, 2062. All interest and payments on account of
509 principal on these obligations shall be payable from the General Fund or the Commonwealth
510 Transportation Fund.

511 SECTION 26. To meet the expenditures necessary in carrying out section 2I, the state
512 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
513 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
514 \$150,000,000. All bonds issued by the commonwealth pursuant to this section shall be
515 designated on their face, Commonwealth Infrastructure Improvement Act of 2022 and shall be
516 issued for a maximum term of years, not exceeding 20 years, as the governor may recommend to
517 the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution.
518 All such bonds shall be payable not later than June 30, 2052. All interest and payments on

519 account of principal on these obligations shall be payable from the General Fund or the
520 Commonwealth Transportation Fund.

521 SECTION 27. To meet the expenditures necessary in carrying out section 2J, the state
522 treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an
523 amount to be specified by the governor from time to time but not exceeding, in the aggregate,
524 \$50,000,000. All bonds issued by the commonwealth pursuant to this section shall be designated
525 on their face, Commonwealth Infrastructure Improvement Act of 2022 and shall be issued for a
526 maximum term of years, not exceeding 20 years, as the governor may recommend to the general
527 court pursuant to section 3 of Article LXII of the Amendments to the Constitution. All such
528 bonds shall be payable not later than June 30, 2052. All interest and payments on account of
529 principal on these obligations shall be payable from the General Fund or the Commonwealth
530 Transportation Fund.

531 SECTION 28. Notwithstanding any general or special law to the contrary, bonds and
532 interest thereon issued under sections 18 through 27, inclusive, of this act shall be general
533 obligations of the commonwealth; provided, however, that any bonds issued by the state
534 treasurer under said sections 18 through 27, inclusive, shall, upon the request of the governor, be
535 issued as special obligation bonds pursuant to section 20 of chapter 29 of the General Laws;
536 provided further, that in deciding whether to request the issuance of particular bonds as special
537 obligations, the governor shall take into account: (1) generally prevailing financial market
538 conditions; (2) the impact of each approach on the overall capital financing plans and needs of
539 the commonwealth; (3) any ratings assigned to outstanding bonds of the commonwealth and any
540 ratings expected to be assigned by any nationally-recognized credit rating agency to the bonds
541 proposed to be issued; and (4) any applicable provisions of a trust agreement or credit

542 enhancement agreement entered into pursuant to said section 20 of said chapter 29. All interest
543 and payments on account of obligations issued under this section as special obligation bonds
544 pursuant to said section 20 of said chapter 29 shall be payable from the Commonwealth
545 Transportation Fund solely in accordance with said section 20 of said chapter 29, and such
546 bonds shall not be included in the computation of outstanding bonds for purposes of the limit
547 imposed by the second paragraph of section 60A of said chapter 29, nor shall debt service with
548 respect to such bonds be included in the computation of the limit imposed by section 60B of said
549 chapter 29.

550 SECTION 29. Section 1. (A) There shall be a commission, subject to appropriation,
551 named the Dorchester Bay Transportation and Resiliency Commission. The Commission shall
552 study and examine the transportation, resiliency, infrastructure, and multi-modal needs of the
553 regional corridor of Morrissey Boulevard. In conjunction with relevant state and municipal
554 agencies, the Commission shall evaluate and recommend transportation and infrastructure
555 improvements intended to improve mobility for pedestrians, transit users, cyclists, and motorists,
556 and strengthen climate resiliency at Dorchester's Kosciuszko Circle and along Morrissey
557 Boulevard. The Commission will work with the relevant state and municipal agencies to develop
558 a comprehensive plan for the Morrissey Boulevard corridor, as well as identify short-term
559 investments that deliver immediate benefits to the corridor.

560 The Commission shall prioritize infrastructure designs that meet the City and
561 Commonwealth's net-zero emissions targets, including maximizing opportunities for sustainable
562 transportation such as walking, bicycling, and transit use, and public realm designs that serve
563 open space needs as well, such as streets and roadways that could be repurposed for open space
564 and recreation.

565 (B) The Commission shall consist of the following nine members: The Secretary of the
566 Executive Office of Energy and Environmental Affairs, or a designee, who shall serve as Co-
567 Chair; the Secretary of the Executive Office of Transportation, or a designee, who shall serve as
568 Co-Chair; the Secretary of the Executive Office of Public Safety and Security, or a designee; the
569 Commissioner of the Department of Conservation and Recreation; the Mayor of the City of
570 Boston, or a designee; the Senator from the 1st Suffolk District, or a designee, the State
571 Representative from the 13th Suffolk District or a designee; the State Representative of the 4th
572 Suffolk District; and the Boston City Councilor of the 3rd District, or a designee.

573 (C) Members shall serve terms of 5 years and until their successors are appointed.
574 Members may be reappointed in the same manner in which they were originally appointed.
575 Vacancies in the membership of the commission shall be filled by the original appointing
576 authority for the balance of the unexpired term. The members of the commission shall receive no
577 compensation for their services, but shall be reimbursed for any usual and customary expenses
578 incurred in the performance of their duties. The Co-Chairs having been named, the commission
579 may elect from among its members a treasurer and any other officers it deems necessary.

580 (D) The commission shall annually, not later than November 1, report the results of its
581 findings and activities of the preceding year and its recommendations to the governor, the Chairs
582 of the Joint Committee on Ways and Means and to the Clerks of the House of Representatives
583 and Senate.

584 (E) The commission may request from all state agencies such information and assistance
585 as the commission may require. Each state agency shall cooperate with requests from the

586 commission and shall provide such information and assistance requested, as permitted under the
587 state law.

588 (F) The powers of the commission shall include, but not be limited to: (i) using voluntary
589 and uncompensated services of private individuals, agencies and organizations as may from time
590 to time be offered and needed; (ii) reviewing policies and legislation and make recommendations
591 to agencies and officers of the state and local subdivisions of government to effectuate the
592 purposes of subsections (f) and (g); (iii) selecting an executive director and to acquire adequate
593 staff to perform its duties; (iv) establishing and maintain such offices as it may deem necessary;
594 (v) enacting by-laws for its own governance; (vi) establishing subcommittees or regional
595 chapters of the commission as it deems necessary; and (vii) holding regular, public meetings and
596 fact-finding hearings and other public forums as it may deem necessary.

597 (G) Public meetings should be held in a manner accessible to and welcoming of persons
598 of all abilities with necessary accommodations to ensure broad participation. Notices of meetings
599 and other information shall be posted to a publicly accessible website that also accommodates
600 persons who are visually impaired.

601 (H) The commission may accept and solicit funds, including any gifts, donations, grants
602 or bequests or any federal funds for any of the purposes of this section. Such funds shall be
603 deposited in a separate account with the state treasurer, be received by the state treasurer on
604 behalf of the commonwealth and be expended by the commission in accordance with law. No
605 such funds shall be deemed to impact appropriation from the Legislature.

606 SECTION 30: Section 1. (A) There shall be a commission, subject to appropriation,
607 named the South Boston Waterfront Transportation Safety and Improvement Commission. The

608 Commission shall study and examine the transportation, resiliency, infrastructure and multi-
609 modal needs of the South Boston Waterfront, as defined by the Boston Planning and
610 Development Agency, In conjunction with relevant federal, state and municipal agencies, the
611 Commission shall evaluate and recommend transportation and infrastructure improvements
612 intended to improve mobility for pedestrians, transit users, cyclists, and motorists, and strengthen
613 climate resiliency in the South Boston Waterfront and surrounding impacted communities. The
614 Commission will work with the relevant state and municipal agencies to develop a
615 comprehensive plan for the South Boston Waterfront and surrounding impacted communities, as
616 well as identify short-term investments that deliver immediate benefits to the region.

617 (B) The Commission shall consist of the following nine members: The Secretary of the
618 Executive Office of Transportation, or a designee; Secretary of the Executive Office of Public
619 Safety and Security, or a designee; the Executive Director of the Massachusetts Port Authority or
620 a designee; the Executive Director of Massachusetts Convention Center Authority or a designee;
621 the Director of the Boston Planning and Development Agency or a designee; the Mayor of the
622 City of Boston, or a designee; the President of the Senate or a designee, who shall serve as co-
623 chair, the Speaker of the House of Representatives or a designee, who shall serve as co-chair;
624 and the Boston City Councilor of the 2nd District, or a designee

625 (C) The commission shall, not later than November 1, 2023 report the results of its
626 findings and activities and its recommendations to the governor, the Chairs of the Joint
627 Committee on Ways and Means and to the Clerks of the House of Representatives and Senate.

628 (D) The commission may request from all state agencies such information and assistance
629 as the commission may require. Each state agency shall cooperate with requests from the

630 commission and shall provide such information and assistance requested, as permitted under the
631 state law.

632 (E) The powers of the commission shall include, but not be limited to: (i) using voluntary
633 and uncompensated services of private individuals, agencies and organizations as may from time
634 to time be offered and needed; (ii) reviewing policies and legislation and make recommendations
635 to agencies and officers of the state and local subdivisions of government to effectuate the
636 purposes of subsections (f) and (g); (iii) co-chairs shall assemble or acquire adequate staff to
637 perform its duties; (iv) establishing and maintain such offices as it may deem necessary; (v)
638 enacting by-laws for its own governance; (vi) establishing subcommittees or regional chapters of
639 the commission as it deems necessary; and (vii) holding regular, public meetings and fact-finding
640 hearings and other public forums as it may deem necessary.

641 (F) Public meetings should be held in a manner accessible to and welcoming of persons
642 of all abilities with necessary accommodations to ensure broad participation. Notices of meetings
643 and other information shall be posted to a publicly accessible website that also accommodates
644 persons who are visually impaired.

645 (G) The commission may accept and solicit funds, including any gifts, donations, grants
646 or bequests or any federal funds for any of the purposes of this section. No such funds shall be
647 deemed to impact appropriation from the Legislature.