

HOUSE No. 4118

The Commonwealth of Massachusetts

PRESENTED BY:

Dylan A. Fernandes and Kip A. Diggs

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to restoring commuter rail to Cape Cod.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Dylan A. Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>8/30/2023</i>
<i>Kip A. Diggs</i>	<i>2nd Barnstable</i>	<i>8/30/2023</i>
<i>Steven George Xiarhos</i>	<i>5th Barnstable</i>	<i>8/30/2023</i>
<i>Christopher Richard Flanagan</i>	<i>1st Barnstable</i>	<i>9/6/2023</i>

HOUSE No. 4118

By Representatives Fernandes of Falmouth and Diggs of Barnstable, a petition (subject to Joint Rule 12) of Dylan A. Fernandes, Kip A. Diggs and others relative to establishing year-round daily commuter rail service to Cape Cod. Transportation.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to restoring commuter rail to Cape Cod.

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. (a) Notwithstanding any general or special law to the contrary, the
2 Massachusetts Department of Transportation, in collaboration with the Massachusetts Bay
3 Transportation Authority, hereinafter referred to as MBTA, shall conduct a feasibility study,
4 hereinafter referred to as the study, relative to establishing year-round, daily rail service between
5 the towns of Falmouth, Bourne, Barnstable, Yarmouth and Sandwich and the city of Boston via
6 the Cape Cod line, Hyannis Branch line and the Woods Hole Branch line. The study shall be
7 undertaken in consultation and collaboration, to the maximum extent possible, with the New
8 England District of the United States Army Corps of Engineers, and shall seek to complement
9 and improve upon the Cape Rail Study of 2021.

10 (b) The study shall examine and evaluate the costs and opportunities related to providing
11 year-round, daily rail service between the towns of Falmouth, Bourne, Barnstable, Yarmouth and
12 Sandwich and the city of Boston including, but not limited to:

13 (i) the projected capital costs including the costs to upgrade the lines, signal systems, and
14 stations for commuter rail including specific costs to upgrade tracks to each town with existing
15 rail lines and costs to upgrade each station on Cape Cod;

16 (ii) the development of an operating and maintenance plan for commuter rail access to
17 Cape Cod towns;

18 (iii) the prospect of operating high-speed rail service on existing rights of way and other
19 operational issues including necessary upgrades to infrastructure;

20 (iv) the environmental and community impact estimates, especially on environmental
21 justice populations as defined in section 62 of chapter 30 of the General Laws;

22 (v) the availability of federal, state, local and private sector funding sources including
23 capital investments and ongoing operations and maintenance funding;

24 (vi) first and last mile connections within the Cape Cod rail system including Cape only
25 train routes;

26 (vii) specific costs of infrastructure upgrades necessary at Middleboro and other MBTA
27 stations to accommodate direct commuter rail access from Buzzards Bay to Boston;

28 (viii) any other effects deemed necessary by the MBTA in order to ensure a complete
29 report on the funding necessary to upgrade infrastructure for commuter rail access for Cape and
30 Island residents.

31 (c) The study shall determine all necessary steps the commonwealth must take to best
32 position itself for any available or potential federal funding. Further, the study shall consider the

33 commuting patterns of residents within the service area when considering potential rail
34 schedules.

35 (d) The study shall determine the feasibility, benefits, opportunities and costs of assuming
36 ownership of the Cape Cod Canal Railroad Bridge from the United States Army Corps of
37 Engineers. The study shall also determine the feasibility, benefits, opportunities and costs of
38 replacing the Cape Cod Canal Railroad Bridge with a stationary bridge.

39 (e) The Massachusetts Department of Transportation shall file a report on the findings
40 and determinations of the study with the clerks of the house and senate, the chairs of the house
41 and senate committees on ways and means and the house and senate chairs of the joint
42 committee on transportation not later than 9 months after the effective date of this act.

43 SECTION 2. Not later than 12 months after the effective date of this act, the MBTA shall
44 begin commuter passenger train service between Buzzards Bay station and South station via the
45 Cape Cod line. Train service shall occur year-round and, insofar as is feasible as determined by
46 the MBTA, schedules shall be aligned with the commuting patterns of the service areas. The
47 MBTA shall operate not less than 3 AM Peak trips and 3 PM Peak trips on this route each
48 weekday.