

SENATE No. 2277

The Commonwealth of Massachusetts

PRESENTED BY:

Susan L. Moran

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 to increase regional transit accessibility in the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Susan L. Moran</i>	<i>Plymouth and Barnstable</i>	
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>1/26/2023</i>
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>1/30/2023</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>1/30/2023</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>1/31/2023</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>2/2/2023</i>
<i>Jacob R. Oliveira</i>	<i>Hampden, Hampshire and Worcester</i>	<i>2/2/2023</i>
<i>Robyn K. Kennedy</i>	<i>First Worcester</i>	<i>2/6/2023</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Worcester and Middlesex</i>	<i>2/6/2023</i>
<i>John C. Velis</i>	<i>Hampden and Hampshire</i>	<i>2/8/2023</i>
<i>Anne M. Gobi</i>	<i>Worcester and Hampshire</i>	<i>2/8/2023</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>2/8/2023</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>2/10/2023</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>	<i>2/15/2023</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>2/15/2023</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/15/2023</i>
<i>Pavel Payano</i>	<i>First Essex</i>	<i>2/15/2023</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>3/1/2023</i>

<i>Carlos González</i>	<i>10th Hampden</i>	<i>3/1/2023</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>3/2/2023</i>
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	<i>3/6/2023</i>
<i>John J. Cronin</i>	<i>Worcester and Middlesex</i>	<i>3/8/2023</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>3/8/2023</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>3/10/2023</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>3/29/2023</i>
<i>Paul W. Mark</i>	<i>Berkshire, Hampden, Franklin and Hampshire</i>	<i>3/29/2023</i>
<i>Lydia Edwards</i>	<i>Third Suffolk</i>	<i>3/29/2023</i>
<i>Edward J. Kennedy</i>	<i>First Middlesex</i>	<i>4/24/2023</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>5/1/2023</i>
<i>Patricia A. Duffy</i>	<i>5th Hampden</i>	<i>5/10/2023</i>
<i>Patrick M. O'Connor</i>	<i>First Plymouth and Norfolk</i>	<i>1/24/2024</i>
<i>Adam Gomez</i>	<i>Hampden</i>	<i>1/24/2024</i>
<i>Rady Mom</i>	<i>18th Middlesex</i>	<i>1/24/2024</i>

SENATE No. 2277

By Ms. Moran, a petition (accompanied by bill, Senate, No. 2277) of Susan L. Moran, Joanne M. Comerford, Jack Patrick Lewis, Susannah M. Whipps and other members of the General Court for legislation to increase regional transit accessibility in the Commonwealth. Transportation.

The Commonwealth of Massachusetts

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

An Act to increase regional transit accessibility in the Commonwealth.

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. Subsection (d) of section 2ZZZ of Chapter 29 of the General Laws, as
2 appearing in the 2020 Official Edition, is hereby amended by striking out clause (2) and inserting
3 in place thereof the following clause:-

4 (2) Not less than \$150,000,000 in each fiscal year to regional transit authorities organized
5 under chapter 161B or predecessor laws; provided, however, that notwithstanding any special or
6 general law to the contrary: (i) the transfer required by this clause shall be increased by the
7 inflation index as defined in section 35T of chapter 10 for the preceding 12 months as certified
8 by the comptroller annually on March 1; and (ii) no transfer required under this clause shall
9 exceed 103 per cent of the transfer amount for the prior fiscal year.

10 SECTION 2. Chapter 10 of the General Laws is hereby amended by inserting after
11 section 35T the following section:-

12 Section 35T.5. As used in this section, the following words shall, unless the context
13 otherwise requires, have the following meanings:

14 "Minimum revenue amount", the dedicated revenue amount for fiscal year 2025 and for
15 each fiscal year thereafter the amount credited to the Fund in the prior fiscal year, as certified by
16 the comptroller on March 1 of each year, as set forth in subsection (b).

17 "Dedicated revenue amount", all monies received each fiscal year by the Transportation
18 Infrastructure Enhancement Trust Fund as established by chapter 187 of the acts of 2016 equal to
19 50 per cent of the surcharges assessed on transportation network companies, as defined in section
20 1 of chapter 159A1/2.

21 (a) There is hereby set up on the books of the commonwealth a separate fund to be
22 known as the Regional Transit Authorities State and Local Contribution Fund, hereinafter called
23 the Fund. There shall be credited to the Fund the dedicated revenue amount, provided that in any
24 fiscal year the amount shall be not less than the minimum revenue amount as certified pursuant
25 to subsection (b). Amounts in the Fund shall be held by the state treasurer or his designee as
26 trustee and not on account of the commonwealth, and the state treasurer is hereby authorized and
27 directed to disburse amounts in the Fund to the regional transit authorities organized under
28 chapter 161B or predecessor laws, without further appropriation, upon the request, from time to
29 time, of the administrator of each authority; provided, however, that no individual authority shall
30 receive more than 1/15th of the amounts in the Fund in any given fiscal year.

31 (b) For the purposes of determining the amount to be credited to the Fund established
32 pursuant to subsection (a), the comptroller shall on March 1 of each year beginning on March 1,
33 2024, certify the minimum revenue amount for the following fiscal year. On March 15 of each

34 year beginning on March 15, 2024, the comptroller shall, after consultation with and based on
35 projections of the department of public utilities, certify whether the dedicated revenue amount is
36 projected to exceed the minimum revenue amount for the upcoming fiscal year. If the
37 comptroller certifies that the projected dedicated revenue amount will be less than the minimum
38 revenue amount, then the comptroller shall for the following fiscal year credit to the Fund
39 amounts sufficient to meet the minimum revenue amount. If the comptroller certifies that the
40 projected dedicated revenue amount will exceed the minimum revenue amount, then the
41 comptroller shall for the following fiscal year credit to the Fund the dedicated revenue amount.
42 On November 15 of each year beginning on November 15, 2024, the comptroller shall certify
43 whether the dedicated revenue amount as of that date is projected to exceed the minimum
44 revenue amount for the current fiscal year. If the comptroller certifies that the dedicated revenue
45 amount is projected to be less than the minimum revenue amount, then the comptroller shall
46 credit to the Fund amounts sufficient to meet the minimum revenue amount for that fiscal year. If
47 the comptroller certifies that the dedicated revenue amount is greater than the minimum revenue
48 amount, then the comptroller shall credit to the Fund the dedicated revenue amount. On April 1
49 of each year beginning on April 1, 2025, the comptroller shall repeat the certification process
50 required on November 15 and shall credit the appropriate amount to the Fund.

51 SECTION 3. Section 9 of Chapter 187 of the Acts of 2016 is hereby amended by deleting
52 the words “Commonwealth Transportation Fund established in section 2ZZZ of chapter 29 of the
53 General Laws” and inserting in place thereof the following words:-

54 Regional Transit Authorities State and Local Contribution Fund established in section
55 35T.5 of chapter 10 of the General Laws.

56 SECTION 4. Section 27 of chapter 161B, as appearing in the 2020 Official Edition, is
57 hereby amended by striking the section in its entirety and replacing it with the following
58 section:-

59 Section 27. There shall be a regional transit authority council for the purposes of
60 coordination and sharing information and best practices in matters of security and public safety
61 planning and preparedness, service delivery, cost savings, and administrative efficiencies. The
62 council shall draft an annual report identifying funding, service and technical assistance needs as
63 well as identifying service gaps, including gaps and barriers to 7-day a week service statewide,
64 and opportunities, including opportunities for increased service within an RTA service area and
65 cross RTA and MBTA services. The report shall be submitted to the secretary and to the Joint
66 Committee on Transportation and the House and Senate Committees on Ways and Means.

67 Members of the council shall include the administrator of each authority established
68 under section 14, two persons who are frequent riders of a regional transit authority appointed
69 annually by the Massachusetts Association of Regional Planning Agencies on a revolving basis,
70 and a member of a Regional Planning Agency outside of the core MBTA service area. The
71 secretary shall be chairman of the council and the general manager of the Massachusetts Bay
72 Transportation Authority shall be a non-voting member of the council. The council shall meet no
73 less than once each calendar quarter or upon the request, with reasonable notice, of the secretary.

74 SECTION 5. Section 6A of chapter 6C of the General Laws, as so appearing, is hereby
75 amended by striking out clause (8).

76 SECTION 6. Said section 6A of chapter 6C of the General Laws, as so appearing, is
77 hereby amended by inserting at the end thereof, the following sentence:-

78 “The department shall not consider the farebox recovery ratio in funding decisions for
79 transit authorities or funding formulas for contract assistance for transit authorities.”