

**SENATE . . . . . No. 2417**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Paul W. Mark*

*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 review the municipal Chapter 90 transportation funding program.

PETITION OF:

NAME:

*Paul W. Mark*

DISTRICT/ADDRESS:

*Berkshire, Hampden, Franklin and  
Hampshire*

**SENATE . . . . . No. 2417**

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By Mr. Mark, a petition (accompanied by bill, Senate, No. 2417) of Paul W. Mark for legislation to review the municipal Chapter 90 transportation funding program. Transportation.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 2270 OF 2023-2024.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-Fourth General Court  
(2025-2026)**  
\_\_\_\_\_

An Act to review the municipal Chapter 90 transportation funding program.

*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. The department of transportation shall be tasked with creating a “Chapter  
2 90 Commission” (referred to hereafter as “the commission”) to evaluate the municipal  
3 infrastructure reimbursement program, colloquially known as “Chapter 90”, authorized in  
4 Section 34 of Chapter 90 of the General Laws, and administered by the Department of  
5 Transportation, pursuant to Chapter 6C of the General Laws.

6           SECTION 2. The commission shall comprise nine members as follows: two member  
7 community representatives selected by the Massachusetts Municipal Association. one of which  
8 shall be a rural community and one a suburban community, one member community  
9 representative selected by the Metropolitan Area Planning Council, one member community  
10 representative selected by the Massachusetts Association of Regional Planning Agencies which

11 shall be from a gateway city, one member chosen by the Mass. Highway Association, three  
12 members appointed by the Governor, and chaired by the Secretary of the Department of  
13 Transportation or her or his designee.

14 SECTION 3. The commission shall investigate the sufficiency, effectiveness, and  
15 equitability of the current municipal reimbursement formula disbursed for vehicle and pedestrian  
16 infrastructure maintenance and capital projects. The commission shall evaluate if the current  
17 formula is sufficient to allow for road and pedestrian facilities to be maintained in a state of good  
18 repair. The commission shall consider regional, geographic, socioeconomic, and population  
19 density variation, as well as communities' fiscal capacities in its analysis relative to the current  
20 formula's suitability. The commission shall produce a report and make recommendations based  
21 on its findings to adjust the formula as may be needed. The commission shall submit its report to  
22 the Department of Transportation and the House and Senate Clerks no later than 365 days after  
23 the passage of this act.