HOUSE DOCKET, NO. 1320 FILED ON: 1/16/2013

HOUSE . . . . . No. 3034

The Commonwealth of Massachusetts

PRESENTED BY:

Cheryl A. Coakley-Rivera

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 passage of the accompanying:

An Act establishing more public input into public transit decisions.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Cheryl A. Coakley-Rivera	*10th Hampden*
Martin J. Walsh	*13th Suffolk*
Cory Atkins	*14th Middlesex*
Elizabeth A. Malia	*11th Suffolk*
Aaron Vega	*5th Hampden*
Geoff Diehl	*7th Plymouth*
Michael D. Brady	*9th Plymouth*
John W. Scibak	*2nd Hampshire*
Antonio F. D. Cabral	*13th Bristol*
Marjorie C. Decker	*25th Middlesex*
Gloria L. Fox	*7th Suffolk*
Sean Garballey	*23rd Middlesex*
Patricia A. Haddad	*5th Bristol*
Mary S. Keefe	*15th Worcester*
Kay Khan	*11th Middlesex*
Peter V. Kocot	*1st Hampshire*
James J. O'Day	*14th Worcester*
Denise Provost	*27th Middlesex*

David B. Sullivan	*6th Bristol*
Ellen Story	*3rd Hampshire*

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HOUSE . . . . . No. 3034

By Ms. Coakley-Rivera of Springfield, a petition (accompanied by bill, House, No. 3034) of Cheryl A. Coakley-Rivera and others for legislation to increase public input into public transit decisions. Transportation.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act establishing more public input into public transit decisions.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for more public input into public transit decisions, 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:

SECTION 1. Section 2 of chapter 6C of the General Laws, as appearing in section 3 of chapter 242 of the Acts of 2012, is hereby amended by inserting after the second sentence the following sentence:

At least 1 director shall be a person who regularly rides public transit (at least 100 trips per year) and who is not employed by the commonwealth and at least 1 director shall be a labor union representative chosen from a list of at least 3 persons nominated by the Massachusetts State AFL-CIO.

SECTION 2. Section 2 of chapter 6C of the General Laws, as appearing in section 3 of chapter 242 of the Acts of 2012, is hereby further amended by inserting at the end of the section the following sentence:

Each meeting shall provide a sufficient opportunity for public comment.

SECTION 3. Section 5 of chapter 161B as appearing in the 2010 Official Edition of the General Laws is hereby amended by striking out the first sentence of the second paragraphs and inserting in place thereof:

15 One disabled person who uses paratransit service shall serve on the advisory board for a 2
16 year term and shall have 1 vote on the advisory board or the least number of votes of a
17 municipality on the advisory board, whichever is greater.

18 SECTION 4. Section 5 of chapter 161B as appearing in the 2010 Official Edition of the
19 General Laws is hereby amended by inserting after the first paragraph the following two
20 paragraphs:

21 Two persons, or the number of persons reflecting 10 percent of the number of
22 municipalities served by the transit authority, whichever is greater, shall serve on the advisory
23 board as voting members representative of the transit riding population. These transit rider
24 representatives shall be regular riders of public transit service (at least 100 trips per year)
25 provided by the transit authority. At least 50 per cent of said transit rider representatives shall be
26 transit-dependent. Each transit rider representative shall be appointed for a 2 year term and shall
27 have 1 vote or the least number of votes of a municipality on the advisory board, whichever is
28 greater. Every city or town in the region, on a rotating basis as determined by the board, shall
29 appoint a transit rider representative successively, provided that there shall be a transit rider
30 representative from each community that has at least 40 per cent of the population in the region
31 served by the authority. The mayor or city manager and the chairman, town manager or town
32 administrator shall appoint a transit rider resident of the city or town. The representative of a city
33 or town may be reappointed after representatives from the other cities and towns within the
34 region have served their 2 year terms.

35 The Governor shall appoint 2 persons to the advisory board who are representatives of
36 labor unions, from a list of at least 6 persons nominated by nominated by the Massachusetts State
37 AFL-CIO and its regional councils. The appointments shall reflect the various transit modes
38 operated by the authority. Each appointment shall be for a 2 year term. Such persons shall each
39 have 1 vote on the advisory board or the least number of votes of a municipality on the advisory
40 board, whichever is greater.

41 SECTION 5. Section 5 of chapter 161B is hereby further amended by inserting after the
42 last paragraph the following paragraph:

43 Each meeting of the advisory board shall provide a sufficient opportunity for public
44 comment.

45 SECTION 6. Section 2 of chapter 161B as appearing in the 2010 Official Edition of the
46 General Laws is hereby amended by inserting after the last paragraph the following paragraph:

47 Each authority shall complete a community-led service assessment and publish a report
48 on the findings and recommendations by June 30, 2015. The assessment process shall be led by
49 the transit rider representatives on each authority's advisory board and shall be undertaken in
50 consultation with the regional planning commission and the Massachusetts Department of

Transportation and conducted at the expense of said department. There shall be opportunities for meaningful public input through the use of an advisory committee, surveys, community meetings, and the opportunity to comment on a draft report. The service assessment shall include a comprehensive market analysis, a performance analysis of existing service, the development and evaluation of alternative service scenarios, and the development of a recommendation to better align service with local and regional demand, the commonwealth's environmental policies, and the region's job creation goals.

SECTION 7. The Secretary of Transportation shall determine by written report to the Governor, be completed and released to the public within one year, the feasibility of establishing one or more facilities for the purposes of overhaul and other major repair, manufacture or assembly, installation and upgrade of mass transit vehicles in service throughout the Commonwealth, utilizing existing funding sources and available project grants to ensure that safe, modern vehicles are in service in sufficient number to meet the needs of all citizens, and that the jobs and other infrastructure needs to accomplish these goals will be performed within the Commonwealth. The Secretary is authorized to establish and operate any such facility or facilities which are deemed feasible by the Governor after completion of the written report.