

# HOUSE . . . . . No. 3670

By Mr. Vallee of Franklin, petition of James E. Vallee relative to disabled persons rights of passage on certain transportation facilities. Transportation.

## The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT RELATIVE TO DISABLED PERSONS RIGHTS OF PASSAGE.

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

1 Notwithstanding any general or special law to the contrary, the  
2 Executive Office of Transportation shall investigate, study, and rec-  
3 ommend protocol to be followed uniformly by each Regional Transit  
4 Authority to effectuate the following proposed changes in the  
5 general laws.

6 CHAPTER 161B. TRANSPORTATION FACILITIES,  
7 HIGHWAY SYSTEMS AND URBAN DEVELOPMENT PLANS  
8 shall be amended by adding to the end of section 8(a):—

9 Furthermore, it shall be established as a matter of public policy  
10 and law that funds appropriated by Massachusetts State Legislature  
11 to the Massachusetts Regional Transit Authorities, pursuant to MGL  
12 Chapter 161B Section 2, shall carry therewith the requirement that  
13 each RTA must collect, maintain, report on, and plan services in  
14 accordance with information and data gathered about mobility-  
15 impaired disabled individuals between the ages of 19 and 59, who  
16 are not otherwise served by a council on aging or other youth related  
17 transportation services, in the communities served by each RTA.

18 MGL Chapter 161B Section 6(1) shall be amended after the words  
19 “mass transportation” the following; “and mass paratransit services”

20 MGL Chapter 161B Section 7(l) shall be amended by adding  
21 after the words “meet such needs “ the words “with investigation  
22 and analysis of the scheduling and equipment needs of mobility-  
23 impaired, physically disabled individuals between the ages of 19  
24 and 59”

25 MGL Chapter 161B Section 8(f) shall be amended by adding after  
26 the words, “estimates of costs and revenues” the words, “with inves-  
27 tigation and analysis given to the unmet scheduling and equipment  
28 needs of mobility-impaired, physically disabled individuals between  
29 the ages of 19 and 59, who are not otherwise served by a council on  
30 aging or other youth related transportation services”

31 MGL Chapter 161B Section 8(g) shall be amended by adding the  
32 following:—

33 “The authority shall include a separate section in its report  
34 addressing the status of reliable, accessible, and affordable public  
35 transportation services for mobility impaired commuters between the  
36 ages of 19 and 59 across its region, including but not limited to:—  
37 number of mobility impaired individuals by RTA who are not other-  
38 wise served by a council on aging or other youth related transporta-  
39 tion services; the total number of rides requested by disabled  
40 individuals when ascertainable; the total number of requests for  
41 services that could not be met and the reasons therefore; the number  
42 of requests for paratransit services; the number of requests for para-  
43 transit services that could not be met including but not limited to  
44 unmet requests for point-to point accessible services for eligible per-  
45 sons with disabilities, and the reasons why transportation could not  
46 be provided; the number of rides provided per month to persons with  
47 mobility impairment who are not otherwise served by a council on  
48 aging or other youth related transportation services. Furthermore, the  
49 RTA’s shall report on the number of providers under contract for the  
50 transportation of mobility impaired individuals in the region; type  
51 and number of wheel chair and scooter accessible busses, vans, and  
52 automobiles by RTA; monthly expenditures by transportation  
53 providers for physically disabled commuters, including but not lim-  
54 ited to, cost per ride and required subsidy per passenger and per  
55 mile. Said affirmative obligation shall be part of MGL Chapter  
56 161B 6(l) requirements and in furtherance of principals promulgated  
57 under the 2002 President’s New Freedom Initiative to “expand trans-  
58 portation options for persons with disabilities” to promote full inte-  
59 gration of disabled into the community. Annual collection and  
60 analysis of robust data relative to the transportation needs of the dis-

61 abled as a class of commuters with unique requirements shall assist  
62 the Regional Transit Authorities in:—

63 the organization of existing transportation services within each  
64 region; the procurement of replacement or additional transportation  
65 services; fostering collaboration within and among communities in  
66 order to meet the needs unique to the aforesaid class of commuters;  
67 improving means of communication about services between RTAs  
68 and mobility impaired commuters; fulfillment of its MGL Chapter  
69 161B8(a) duties fair budget and regulatory responsiveness to both  
70 able-bodied and disabled individuals in each RTA; preservation of  
71 the missions of the RTAs; ensuring that disabled and able-bodied  
72 commuters are well represented, respected, counted, and served;  
73 consideration of the disabled in the RTA's annual MGL Chapter  
74 161B 8(g) report; and establishing accurate financial estimates of  
75 costs and revenue.

76 The results thereof shall be filed according to MGL Chapter 161B  
77 8(g), as amended herein.

78 The Executive Office of Transportation shall file its report,  
79 including its findings and recommendations and drafts of legislation  
80 necessary, if any, to carry out its recommendations, by filing the  
81 same with the clerks of the House of Representatives and the Senate,  
82 the House Committee on Ways and Means and the Senate Com-  
83 mittee on Ways and Means, and the Joint Committee on Transporta-  
84 tion, no later than December 31, 2007.