

SENATE NO. 2085

AN ACT RELATIVE TO REGIONAL TRANSIT AUTHORITIES

*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. Chapter 10 of the General Laws, as appearing in the 2004 Official Edition, is hereby
2 amended by inserting after section 35BB the following two sections:-

3 Section 35CC. Regional Transit Authority Service Fund

4 Section 35CC. There shall be established and set up on the books of the commonwealth a separate
5 fund to be known as the Regional Transit Authority Service Fund for the purpose of supplementing
6 existing amounts available to the regional transit authorities, established under chapter 161 and chapter
7 161B, to restore and expand the service needs in the cities and towns constituting the authorities,
8 subject to the approval of the secretary of transportation. There shall be credited to said fund amounts
9 transferred by the state treasurer as provided in section 63 of chapter 10 and any other amounts
10 transferred or appropriated to said fund and any interest earned thereon.

11 Section 35DD. Regional Transit Authority Mobility Service Enhancement and Training Fund

12 Section 35DD. There shall be established and set up on the books of the commonwealth a separate
13 fund to be known as the Regional Transit Authority Mobility Service Enhancement and Training Fund

14 for the purpose of enhancing public transit for the mobility impaired within the cities and towns
15 constituting the authorities and for training of persons employed by the authorities on service needs of
16 the mobility impaired. Amounts shall be made available from said fund to develop and implement
17 projects and programs, subject to the approval of the secretary of transportation, which shall include,
18 but not be limited to, the following:

19 (1) quality sensitivity training for fixed-route drivers, demand-response drivers and customer service
20 personnel of the authorities;

21 (2) driver training relative to the use of specialized equipment to provide mobility access to buses and
22 other passenger vehicles of the authorities;

23 (3) customer service training for administrative personnel of the authorities using mobility tools;

24 (4) the development of travel training and mobility manager programs;

25 (5) the feasibility of providing escorts to assist the mobility impaired and elders with their
26 transportation needs;

27 (6) the development of training resources for the transportation service providers contracting with the
28 authorities;

29 (7) the procurement of capital equipment and technologies for mobility enhancement;

30 (8) the enhancement of paratransit service parameters; and

31 (9) the coordination of paratransit services throughout the cities and towns constituting the authorities.

32 There shall be credited to said fund amounts transferred by the state treasurer as provided in section 63
33 of chapter 10 and any other amounts transferred or appropriated to said fund and any interest earned
34 thereon.

35 SECTION 2. Section 63 of said chapter 10, as so appearing, is hereby amended by striking out the first
36 paragraph, in lines 1 to 11 inclusive, and inserting in place thereof the following:-

37 There shall be established and set up on the books of the commonwealth a separate fund to be
38 known as the Central Artery and Statewide Road and Bridge Infrastructure Fund for the purposes of
39 meeting (i) the estimated additional costs associated with the Central Artery/Ted Williams Tunnel
40 Project; and (ii) for the period covering July 1, 2006 through June 30, 2011, an amount equal to 50
41 percent of excess registry fees not required for the purpose of clause (i) shall be for the costs
42 associated with the statewide road and bridge program and the remaining 50 percent of said excess
43 registry fees shall be transferred in an amount not to exceed \$90 million in the aggregate to the
44 Regional Transit Authority Service Fund and in an amount not to exceed \$15 million in the aggregate
45 to the Regional Transit Authority Mobility Service Enhancement and Training Fund.

46 SECTION 3. Said section 63 of said chapter 10, as so appearing, is hereby further amended by striking
47 the fifth paragraph, in lines 60 to 69 inclusive, and inserting in place thereof the following:-

48 The state treasurer shall, with the approval of the executive office for administration and finance,
49 transfer excess registry fees to the Regional Transit Authority Service Fund and to the Regional
50 Transit Authority Mobility Service Enhancement and Training Fund on or before June 30 of each
51 fiscal for the period July 1, 2006 to June 30, 2011; provided however, the treasurer shall not transfer
52 excess registry fees to the Regional Transit Authority Service Fund if the balance of said fund exceeds

53 \$90 million and the state treasurer shall not transfer excess registry fees to the Regional Transit
54 Authority Mobility Service Enhancement and Training Fund if the balance of said fund exceeds \$15
55 million. The state treasurer shall report excess registry fees identified and the actual balance
56 transferred to the house and senate committees on ways and means, the joint committee on
57 transportation, the executive office for administration and finance and the executive office of
58 transportation by August 15 of each year

59 SECTION 4. Said section 63 of said chapter 10, as so appearing, is hereby further amended by striking
60 out, in line 73, the words “June 30, 2009” and inserting in place thereof the following:- June 30, 2011.

61 SECTION 5. Section 5 of chapter 161B of the General Laws, as appearing in the 2004 Official
62 Edition, is hereby amended by adding at the end of the first paragraph, at line 24, the following:-

63 Notwithstanding the provisions of this section, each city and town shall have one equal vote for the
64 appointment of the administrator established pursuant to section 4. In addition, the secretary of
65 transportation or his designee shall serve as a non-voting member of the advisory board.

66 In addition, each city or town on a rotating basis shall appoint a resident of said city or town to serve
67 as a non-voting member of the advisory board who shall be mobility impaired or have a mobility
68 impaired family member or be a caretaker of a mobility impaired person, or be employed by an
69 organization that serves the needs of the mobility impaired. Said member shall serve a term of one
70 year. The schedule of rotation shall be determined by a vote of the advisory board.

71 SECTION 6. Said section 5 of said chapter 161B, as so appearing, is hereby further amended by
72 inserting after the word “delegation”, in line 29, the following words:- ; provided however, the

73 advisory board shall not delegate its power of appointment of the administrator established pursuant to
74 section 4.

75 SECTION 7. Section 8 of said chapter 161B, as so appearing, is hereby amended by striking
76 subsection (h), in lines 60 to 65 inclusive, and inserting in place thereof the following:-

77 (h) All current expenses of the authority shall be in accordance with an annual budget prepared by
78 the administrator and submitted to the advisory board and to the secretary of transportation for his
79 review no later than April first of each year for the ensuing fiscal year. On or before June first the
80 advisory board shall approve said budget as submitted or subject it to such itemized reductions therein
81 as the advisory board shall deem appropriate. The annual budget may be amended by the authority
82 with approval of a supplemental budget by the advisory board; provided, that the authority shall
83 submit to the secretary for his approval any supplemental budget approved by the advisory board
84 which shall cause to be increased the amount of contract assistance to be paid to the authority pursuant
85 to section 23.

86 SECTION 8. Chapter 291 of the acts of 2004 is hereby amended by inserting after section 2K the
87 following new section:-

88 SECTION 2L.

89 6001-0606. For the purpose of retiring revenue anticipation notes and any interest associated thereof
90 for the purpose of currently financing the regional transit authorities established pursuant to chapters
91 161 and 161B. Each authority shall submit to the executive office of transportation and the executive
92 office for administration and finance a certified statement identifying the total amount of notes and
93 interest issued by the regional transit authority which are attributable to contract assistance and any

94 notes and interest that may be outstanding which are attributable to contract assistance which are
95 payable in fiscal year 2006 or fiscal year 2007. Amounts allocated to the authorities from this item
96 shall be expended in accordance with policies, rules and regulations established by the executive office
97 of transportation.....\$75,000,000

98 SECTION 9. Said chapter 291 of the acts of 2004 is hereby amended by inserting after section 14 the
99 following new section:-

100 SECTION 14½. To meet the expenditures necessary in carrying out section 2L, the state treasurer
101 shall, upon the request of the governor, issue and sell bonds of the commonwealth, in an amount to be
102 specified by the governor from time to time, but not exceeding in the aggregate the sum of
103 \$75,000,000. All bonds issued by the commonwealth as aforesaid shall be designated on their face,
104 Regional Transportation Authority Current Financing Act of 2006, and shall be issued for such
105 maximum term of years, not exceeding 5 years, as the governor may recommend to the general court
106 pursuant to Section 3 of Article LXII of the Amendments to the Constitution; provided, however, that
107 all such bonds shall be payable not later than June 30, 2016. All interest and payments on account of
108 principal on such obligations shall be payable from the Highway Fund. Notwithstanding any previous
109 act or special law, bonds and interest thereon issued under this section shall be general obligations of
110 the commonwealth.

111 SECTION 10. Section 102 of said chapter 291 of the acts of 2004 is hereby repealed.