

SENATE NO. 2094

AN ACT RELATIVE TO ELIMINATING TOLLS ON THE MASSACHUSETTS TURNPIKE AND THE METROPOLITAN HIGHWAY SYSTEM

*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. Notwithstanding any general or special law to the contrary, the Massachusetts
2 Turnpike Authority shall endeavor to transfer its rights to receive funds pursuant to contracts for
3 food service and the sale of gasoline at service plazas along the turnpike roadway. Funds
4 received in exchange for such a transfer shall be expended to repay all any outstanding notes or
5 bonds issued by the turnpike authority pursuant to section 4(a)(g) of Chapter 81A, or any other
6 obligations related to the removal of toll collection facilities along the turnpike as it is defined in
7 section 3 of chapter 81A. Any funds remaining after such repayment of notes, bonds or
8 expended to meet such obligations shall be deposited in the Toll Mitigation Fund established
9 pursuant to section 10A of chapter 81A
- 10 SECTION 2. Notwithstanding any general or special law to the contrary, the Massachusetts
11 Turnpike Authority and the Secretary of the Executive office of Transportation and the
12 Commissioner of the Department of Revenue shall examine toll revenue projections, projected

13 gas tax revenue, and the projected balance of the Toll Mitigation Fund to propose a schedule for
14 the payment of all obligations incurred by the Massachusetts Turnpike Authority in connection
15 with the construction and maintenance of the metropolitan highway system and the elimination
16 of tolls on the roadway known as the Boston extension as that roadway is defined in section 3 of
17 Chapter 81A. Said Authority, secretary and commissioner shall report their finding to the joint
18 committee on transportation and the house and senate committees on ways and means on
19 October 1, 2007.

20 SECTION 3. Section 4 of Chapter 81A of the General Laws, as appearing in the 2004 Official
21 Edition, is hereby amended by striking subparagraph (i).

22 SECTION 4 Section 10 of Chapter 81A of the General Laws is hereby amended by striking
23 subparagraph (a).

24 SECTION 5. Section 4 sub-paragraph (j) of Chapter 81A, is hereby amended by striking out,
25 in lines 44 and 45, the words “to fix and revise from time to time and charge and collect tolls for
26 transit over the metropolitan highway system;” and inserting in place thereof the following: -to
27 charge and collect tolls for transit over the metropolitan highway system; said tolls shall be
28 fixed at the rates in place on December 31, 2006

29 SECTION 6. Section 10 of said Chapter is further amended in subsection (b) by striking in lines
30 36 and 37 the words "and from time to time fix and revise".

31 SECTION 7. Chapter 81A of the General Laws, as appearing in the 2004 Official Edition, is
32 hereby amended by adding after section 10 the following new section:-

33 Section 10A: Toll Mitigation Fund

34 There shall be established and set up on the books of the commonwealth a separate fund, to be
35 known as the Toll Mitigation Fund. Money received from excise on the sale of fuel imposed

36 pursuant to Chapter 64A, Section 4 shall be credited to said fund in the amounts established in
37 Chapter 64A, Section 13A. Toll mitigation funds shall be expended by the authority as follows:

38 (a) In the fiscal year beginning on July 1, 2007 and for each fiscal year thereafter, for
39 the costs of annual maintenance of the turnpike.

40 (b) Beginning on January 1, 2008 for debt service payments, maintenance and other
41 costs for the operation of the metropolitan highway system which would otherwise
42 be funded with toll revenue.

43 SECTION 8. Section 1 of Chapter 64A of the General Laws, as appearing in the 2004 Official
44 Edition, is hereby amended by striking in paragraph (l) the language: "'Tax per gallon", shall
45 be 21 cents per gallon'" and inserting in place thereof the following:-

46 (l) "Tax Per Gallon", shall be twenty-four cents per gallon, for the six months beginning July 1,
47 2007; 27 cents per gallon for the 18 months beginning January 1, 2008; 30 cents per gallon for
48 the year beginning July 1, 2009. Thereafter, for each fiscal year, the amount of tax due per
49 gallon shall be computed by increasing the amount of tax in effect on July 1 of that fiscal year
50 by any percentage of increase in the Consumer Price Index for the Northeast Census region
51 published by the United States Department of Labor, Bureau of Labor Statistics as of June 1st of
52 that year over June 1st of the prior year, computed to the nearest tenth of a cent per gallon. If
53 there is no increase in the Consumer Price Index, the tax per gallon shall be unchanged for the
54 year.

55 SECTION 9. Section thirteen of Chapter 64A of the General Laws, as appearing in the 2004
56 Official Edition, is hereby amended at Line 8 by inserting after the word "fines", the following
57 words: less all amounts allocated under section 13A and.

58 SECTION 10. Chapter 64A of the General Laws, as appearing in the 2004 Official Edition, is
59 hereby amended by inserting at the end the following section:-

60 Section 13A: That percentage of the sums received from the excise imposed in section 4 which
61 are attributable to the amount by which the Tax Per Gallon, as established in section one (l),
62 exceeds twenty-one cents shall be credited to the Toll Mitigation Fund established pursuant to
63 Section 10A of Chapter 81A.

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