ATTACHMENT K

July 8, 2016

To the Honorable Senate and House of Representatives:

Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution, I am returning to you for amendment Section 133 of House Bill No. 4450, “An Act Making Appropriations for the Fiscal Year 2017 for the Maintenance of the Departments, Boards, Commissions, Institutions and Certain Activities of the Commonwealth, for Interest, Sinking Fund and Serial Bond Requirements and for Certain Permanent Improvements.”

Section 133 would cap MBTA fares at 7% every two years, but in doing so, would impose a highly restrictive definition of “fare,” which would prohibit the MBTA from adjusting fares in the most equitable manner for different classes of riders. Section 133 would therefore impair the MBTA’s ability to ensure that appropriate steps are taken to deliver the reliable transit system that riders deserve.

For this reason, I recommend that Section 133 be amended by striking out the text and inserting in place thereof the following text:-

SECTION 133. Section 61 of chapter 46 of the acts of 2013 is hereby amended by striking out subsection (d) and inserting in place thereof the following subsection:-

(d) The average fare, weighted by usage, shall not be increased by more than 7 per cent in a twenty-four month period. For the purposes of this section, “fare” shall mean an amount paid by a user including, but not limited to, the cost of any single-ride price for a mode, the cost of a pass and any discount from the cost of a single-ride price or the cost of pass, regardless of fare payment type, product or media.

Respectfully submitted,