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**COMMONWEALTH OF MASSACHUSETTS**  
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**DEVAL L. PATRICK**  
GOVERNOR

**TIMOTHY P. MURRAY**  
LIEUTENANT GOVERNOR

**BY HIS EXCELLENCY**

**DEVAL L. PATRICK**  
GOVERNOR

**EXECUTIVE ORDER NO. 530**

**ESTABLISHING A COMMISSION FOR THE REFORM OF COMMUNITY,  
SOCIAL SERVICE AND PARATRANSIT TRANSPORTATION SERVICES  
IN THE COMMONWEALTH**

WHEREAS, transportation plays a critical role in providing access to employment, health care, education, community services, and activities necessary for daily living. The importance of this role is underscored by the variety of transportation programs and services provided in the Commonwealth, including demand responsive transportation services, paratransit services, Americans with Disabilities Act of 1990 ("ADA") complementary paratransit service and social service transportation. Furthermore, the vital role of these transportation services is demonstrated by the significant Federal and State financial investment in accessible public transportation systems and service providers throughout the Commonwealth;

WHEREAS, the development, implementation, and maintenance of responsive, comprehensive, coordinated and efficient community transportation systems is essential for persons with disabilities, persons with low incomes, persons with Limited English Proficiency (LEP), and seniors and visitors who rely on such transportation to fully participate in their communities;

WHEREAS, community transportation services are often fragmented, underutilized, or difficult to navigate, and can be costly because of inconsistent, duplicative, and often restrictive federal and state program rules and regulations. In some cases, narrowly focused programs leave service gaps, and transportation services are simply not available to meet certain needs;

WHEREAS, THE RIDE is nationally recognized as a leader in service quality among paratransit operations. This federally mandated door-to-door lift-equipped van and sedan service complements the fixed route services and is designed to meet or exceed the Massachusetts Bay Transportation Authority's ("MBTA") obligations to provide complementary paratransit service under the ADA. This demand responsive transportation service is provided for persons who are unable to use fixed route services due to physical, mental, or cognitive disabilities. The MBTA has long embraced a policy of making its services and facilities accessible to all persons regardless of age or disability;

WHEREAS, the MBTA's RIDE service has grown significantly both in utilization and operating cost of providing its services. In Fiscal Year 2010 provided 2,095,997 passenger trips and over 2.1 million trips will be provided in Fiscal Year 2011. Ridership has surged by 51% over the past five years and is projected to increase 62% in the next five years, compared with the previous five year period.

WHEREAS, the Executive Office of Health and Human Services (EOHHS) promotes access to health and human services, employment and community life by purchasing and managing a statewide transportation brokerage network for eligible consumers and by providing technical assistance and outreach strategies in support of local mobility and transportation coordination efforts especially for transportation disadvantaged Massachusetts residents. This brokerage network for both demand-response and program-based transportation was designed and implemented in partnership with MassDOT in 2001 to consolidate management of disparate transportation programs across EOHHS, standardize performance measures, improve service quality, and contain transportation costs within EOHHS. Today it is the single point of management for nearly all transportation related services purchased by EOHHS departments. In Fiscal Year 2010, services provided through the EOHHS brokerage network continued to grow as consumer trips increased

on a statewide basis by almost 7% to over 5.5 million trips although the average cost per trip decreased by over 2% from Fiscal Year 2009.

WHEREAS, the Regional Transit Authorities (RTAs) provide demand response service for over 2.0 million customers for 256 communities, with six of these RTAs brokering an additional 5.5 million trips for community and social service transportation contracts;

WHEREAS, the MBTA, the RTAs and the Commonwealth are confronting continued fiscal challenges that require meaningful reform and improved coordination among these different transportation services;

WHEREAS, the Massachusetts demand response transportation network was established pursuant to Title 49 Part 37 (49 CFR 37) of the Code of Federal Regulations which defined requirements for making buses accessible or providing complementary paratransit services within public transit service areas, and the Federal Transit Administration and the Commonwealth have made significant investments to make most of its transit systems and all of its buses accessible;

WHEREAS, State- and Federally-assisted transportation services should be seamless, comprehensive, and accessible to those who rely on them for their lives and livelihoods regardless of the funding source or program. For persons with mobility limitations related to advanced age, persons with disabilities, and persons struggling for self-sufficiency, transportation within and between our communities should be as available, affordable and effective as possible;

WHEREAS, through improved coordination, modifications to service delivery and operations and potential structural changes, the Commonwealth seeks to continue to maintain the quality of these transportation services, while seeking efficiencies, opportunities for cost-savings and increased collection of federal funds for its existing services;

NOW, THEREFORE, I, Deval L. Patrick, Governor of the Commonwealth of Massachusetts, by virtue of the authority vested in me by the Constitution, Part 2, c. 2, § 1, Art. 1, order as follows:

Section 1. There is hereby created the Community, Social Service and Paratransit Transportation Commission, hereinafter referred to as the "Commission."

Section 2. As used in this Executive Order,

"Demand Responsive service" means public transit typically provided in non-urbanized areas to the general public. Individuals schedule rides to and from origins and destinations within a transit area. Rides must usually be scheduled at least one day prior to day of travel. The transit provider schedules all trips -- grouping trips when possible -- and develops a daily manifest.

"Paratransit service" means a level of service which falls between fixed-route and ADA complementary service. Paratransit typically serves elders or individuals with some level of disability for whom regular public transit is difficult to access. Paratransit is typically provided in small vehicles -- vans and minibuses -- and generally serves a number of individuals going to a common destination (shared ride). Many Councils on Aging provide paratransit trips to both individuals and groups traveling to grocery stores, meal sites, senior centers, doctors' visits, and social and/or recreational activities. The provider agency may charge a fare for service, but frequently does not.

"ADA Complementary Paratransit service" means transportation services provided consistent with the obligations and requirements of the Americans with Disabilities Act of 1990. Service provided to ADA-eligible individuals must mirror the fixed-route (buses) in terms of origins and destinations served and hours of availability. The law requires that no trip request, meeting the criteria established by the provider in accordance with ADA regulations, may be denied for any reason, including capacity constraints. Further, the scheduled trip cannot be any longer in duration than one and one half times the amount of time needed for a similar trip on fixed-route. The established fare cannot exceed double the fixed-route fare and is often less. ADA-eligible individuals residing within 3/4 of a mile of fixed-route bus service must be provided this complementary service.

"Social Services Transportation" means a fully-funded transportation service provided by a social service agency for clients and services as determined eligible by the agency. In Massachusetts five human service

agencies, the Department of Developmental Services (formerly the Department of Mental Retardation), MassHealth (Medicaid), the Department of Public Health (Early Intervention Program), the Massachusetts Rehabilitation Commission, and the Massachusetts Commission for the Blind contract their services through the Executive Office of Health and Human Services Human Services Transportation Office (HST). HST has agreements with six (6) of the fifteen (15) RTAs to broker these services statewide. Services are provided by the lowest cost qualified local vendors and include private vendors, brokers' operating companies, and neighboring RTAs.

Section 3. The purpose of the Commission is to develop detailed recommendations for reform and the introduction of efficiencies in the provision of community and social services transportation in the Commonwealth, including, but not limited to, conducting a detailed review of the MBTA's The RIDE services, demand response services provided by the RTAs and transportation services funded by EOHHS. The Commission shall conduct a comprehensive review of all demand responsive services, paratransit services, ADA complementary paratransit service and social services transportation. In developing its recommendations, the Commission shall consider:

- (a) promoting inter-government cooperation and the establishment of appropriate mechanisms to minimize duplication and overlap of State and Federal programs and services so that transportation-disadvantaged persons have access to more transportation services;
- (b) opportunities for reform and restructuring among the current service delivery networks that provide paratransit services to achieve a more streamlined, customer-friendly and cost-effective structure;
- (c) ensuring the collection of available federal funds that support existing paratransit services, including, but not limited to, The RIDE;
- (d) aligning the needs within the Commonwealth for paratransit service with current levels of service and existing service delivery methods and assessing whether those levels of service and delivery methods properly conform with and/or exceed federal and state legal requirements;

- (e) examining opportunities to align the eligibility requirements of the RIDE, the RTAs and social services agencies to utilize a single eligibility requirement to improve consistency, customer service and service delivery across all like services in the Commonwealth;
- (f) facilitating access to the most appropriate, cost-effective transportation services within existing resources;
- (g) encouraging enhanced customer access to the variety of transportation and resources available, including improvements in service dispatch and reservation technologies; and
- (h) formulating and implementing administrative, policy, and procedural mechanisms that enhance transportation services at all levels.

The Commission shall serve exclusively in an advisory capacity and shall not possess any powers or responsibilities associated with the actual implementation of its recommendations.

Section 4. The Commission shall possess no more than 16 members appointed by the Governor. The Chairperson shall be designated by the Governor. The membership of the Commission shall consist of the Secretary and Chief Executive Officer of Massachusetts Department of Transportation (“MassDOT”), the Secretary of Health and Human Services, the Secretary of Veteran’s Affairs, the Secretary of Elder Affairs, the Secretary of Administration and Finance, the Assistant Secretary of Administration and Finance for Access and Opportunity, and the General Manager of the MBTA. In addition, the Commission shall include at least 2 representatives of the RTAs, 1 member with a civil rights background, 1 representative of a Council on Aging, 2 members representing paratransit users, 2 members with expertise regarding paratransit service delivery and operations, and 1 member with extensive experience in human services.

The Chair shall convene and preside at meetings of the Commission, determine the agenda of the Commission, direct its work, and as appropriate to particular subject matters, establish and direct subgroups of the Commission, which shall consist exclusively of the Commission’s members.

A member of the Commission may designate any person who is part of the member's agency or Secretariat, and who is a full-time public employee to perform functions of the Commission or its subgroups on the member's behalf.

Section 5. The Commission shall hold at least two public comment sessions, with at least one session occurring outside of Boston, prior to the issuance of its final report to the Governor.

Section 6. In performing its functions, the Commission shall present to the Governor a report no later than 180 days from the date of this Order. The report shall:

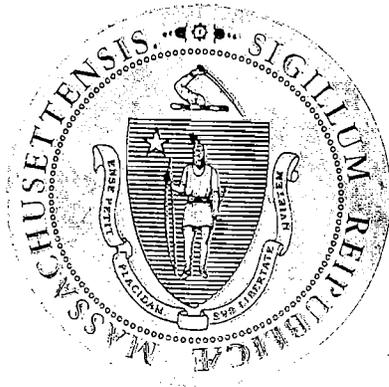
- (a) identify recommended reforms, restructuring and cost-saving initiatives that would modify or alter the current means of providing paratransit services in the Commonwealth, including, but not limited, to recommending potential legislative solutions;
- (b) identify recommended actions, administrative, procedural or legislative, to maximize the collection of federal funds for The Ride, the RTAs and human service agencies;
- (c) identify potential modifications, if any, to existing eligibility criteria utilized by the RIDE, regional transit authorities and human service agencies;
- (d) identify recommended service improvements or modifications to maintain or enhance current service levels and delivery method while achieving efficiencies and cost-savings; and
- (e) identify any other reforms, initiatives or improvements to paratransit services in the Commonwealth that will enhance the quality, customer-service or efficiency of these services.

Until the completion of the report, to address ongoing budgetary challenges, the MBTA, the RTAs and the human services agencies may take necessary interim steps to seek cost-savings or efficiencies for the existing services.

Section 7. The MBTA, MassDOT and EOHHS shall assist the Commission in fulfilling its mission. The MBTA, MassDOT and EOHHS shall provide all necessary support and assistance to the Commission, including any staff assistance, data or documents necessary to perform the mandate of the Commission.

Section 8. The Commission shall perform the functions identified in this Executive Order until such time as it completes the report required in Section 3, upon which time it shall be dissolved.

Section 9. This Executive Order shall take effect immediately and shall continue in effect until amended, superseded, or revoked by subsequent Executive Order.



Given at the Executive Chamber in Boston this 6<sup>th</sup> Day of April in the Year of our Lord two thousand and eleven, and of the Independence of the United States of America two hundred and thirty-five.

A handwritten signature in black ink, appearing to read "Deval L. Patrick", written over a horizontal line.

DEVAL L. PATRICK, GOVERNOR  
Commonwealth of Massachusetts

A handwritten signature in black ink, appearing to read "William Francis Galvin", written over a horizontal line.

WILLIAM FRANCIS GALVIN  
Secretary of the Commonwealth

**GOD SAVE THE COMMONWEALTH OF MASSACHUSETTS**