



Massachusetts Rideshare Program Guidance on Complying With the Regulation

A Brief History of the Massachusetts Rideshare Regulation

The Massachusetts Department of Environmental Protection (MassDEP) implements the Massachusetts Rideshare Regulation¹ (310 CMR 7.16), a statewide air quality regulation that is part of the Commonwealth's plan to reduce air pollution and to achieve and maintain health-based federal air quality standards. Automobile emissions contribute over 50% of all nitrogen oxides (NO_x) and carbon monoxide (CO) pollution, and over 20% of all volatile organic compounds (VOC's) pollution. The health effects associated with these pollutants include increased susceptibility to respiratory infection especially for children, people who work or exercise outdoors, and people with respiratory diseases. Additionally, automobile emissions contribute carbon dioxide (CO₂) and other greenhouse gases that contribute to *climate change*, also known as *global warming*. Particulate matter (PM) associated with automobile emissions contribute to *regional haze*.

Facility Requirement to file under the Rideshare Regulation

A facility operating in Massachusetts is required to file under the Rideshare Regulation if it **meets any one of the following criteria for applicable commuters**:

- 250 or more applicable commuters and subject to the MassDEP Air Operating Permit Program (310 CMR 7.00, Appendix C) (non-educational facilities only)
- 1,000 or more applicable commuters (educational and non-educational facilities)

If the facility meets any one of the above criteria, the facility is subject to the Massachusetts Rideshare Program filing requirements and must complete all steps listed below.

Facility staff must determine the number of **applicable commuters** at the facility. Applicable commuters refer to *applicable employees* at a facility. For educational facilities, the term applicable commuters, refers to both *applicable employees* and *applicable students* at the facility. When determining the number of applicable commuters, count all applicable commuters located in all facility buildings within a one-mile radius or walking distance of each other. Also, include all telecommuting employees if they meet the criteria of "applicable employees".

Facilities have two options to determine their applicable commuters:

Option 1:

*Applicable employees*² are employees that:

- Work 17 hours or more per week for 20 or more weeks per year;
- Begin and complete their workday between 6 a.m. and 8 p.m.; and
- Use their vehicle for work purposes (not commuting) less than five times per month.

¹ The formal name of the regulation is "Reduction of Single Occupant Commuter Vehicle Use".

² Contractors may also be applicable employees if they are administratively-connected to the facility.

Applicable students are students that:

- Are full-time commuting students³ and live off campus;
- Are scheduled to begin and complete classes between 6 a.m. and 8 p.m.; and
- Need their vehicle for class assignments or for after-school work less than five times per month.

Option 2:

Applicable employees are employees that:

- Begin and end each workday between 6:00 a.m. and 8:00 p.m.

Applicable students are students that:

- Begin and complete classes between 6:00 a.m. and 8:00 p.m.

NOTE: If a facility chooses Option 2 for the first time after using Option 1 in prior reporting years, the facility must complete a **Base Report**.

If the facility does not meet any of the above criteria, the facility is not required to file under the Rideshare Regulation. Some facilities may choose to voluntarily collect commuter data and complete the entire Rideshare Program Base Report or Update Report.

The Five Steps to file a Rideshare Report

1) Determine which annual reporting form to file: Base or Update Report (Short or Long Form)

If ANY of the following criteria apply to the facility, a Base Report is required:

- First Time Filer under the Rideshare Regulation.
- Facility filed a Base Report but MassDEP determined that report did not meet submittal requirements.
- Facility filed a Base Report in a previous year; however, facility did not have 1,000 or more applicable commuters or 250 or more applicable commuters for a facility with an air operating permit.
- Facility chooses the new **Option 2** method of calculating applicable commuters and will re-start its Base Year.

A facility may be eligible to file an Update Report (Short Form) if:

- The facility's previous year's Base or Update Report met the submittal requirements of the Rideshare Regulation. Under this situation, the facility is eligible to file a Short Form report in alternate years. Contact the Massachusetts Rideshare Program to determine which type of report the facility must file for the current reporting year.

³ The term "full-time student" is as defined by the educational institution.

2) Collect data on the commuting patterns of applicable commuters

The collection of accurate and comprehensive applicable commuter data is essential to the success of the facility's commuting options program. To prepare for the data collection process:

- Designate a contact person to coordinate the collection of commute trip data.
- Select a data collection method and a strategy to achieve a high response rate from commuters. Select one of the following data collection methods:
 - a. Census Survey Method,
 - b. Random Sample Survey Method, or
 - c. Direct Count Method.
- Review the *Guidance on Collecting Commute Data* for a detailed description of how to collect commuter data using each method. It is recommended that the same data collection method is used for each survey year for the most comparable drive-alone commute trip reduction data.

**Promoting a
Transportation Awareness
Day while surveying can
lead to a more successful
response from commuters.**

3) Establish a goal to reduce drive-alone commute trips (DACTs) by 25%

The next step is to set a goal to reduce the number of DACTs by 25%. MassDEP will not penalize the facility if an implemented commuter options program fails to achieve the 25% drive-alone trip reduction goal.

When filing under the Rideshare Regulation for the first time, a facility may be credited for any prior year DACT reductions that resulted from a facility's promotion of DACT Reduction Incentives prior to the Base Year. If the facility cannot document the DACT reductions, contact the Massachusetts Rideshare Program to obtain a partial credit for pre-base year DACT reductions.

4) Establish drive-alone commute trip reduction incentives at the facility

DACT reduction incentives will help the facility achieve its goal to reduce DACTs by 25%. DACT reduction incentives are designed to influence commuting behavior by promoting alternative modes of transportation.

Promoting commuting options is a "win-win" benefit for businesses, commuters, and the environment. Some of the many benefits to employers include reductions in parking management expenses and tax savings from pre-tax transit pass payroll deductions.

The facility must **implement, publicize, and maintain** the following DACT reduction incentives based on the following criteria:

a) All facilities subject to the Massachusetts Rideshare Program must:

- **Conduct carpool matching.** The facility must match its own commuters by either using a designated coordinator or using a carpool-matching service.

- **Set aside preferential parking spaces.** The facility must set aside preferential parking spaces for carpools (*and vanpools if the facility has 1000 or more applicable employees*). Preferential parking spaces are located closest to building entrances for the convenience of carpooling/vanpooling commuters.
- **Establish bicycle incentives.** The facility must establish bicycle incentives, including providing bicycle racks or a secure locking facility for the storage of bicycles. Other optional incentives could include lockers, showers and changing rooms for commuters, and promotional events such as providing bicycles or offering “bike to work” days. MassDEP recommends that the facility includes Bike Safety promotions as part of the facilities bike incentive program.

- **Implement:** Trip reduction incentives by offering them to commuters.
- **Publicize:** Trip reduction incentives by advertising them to commuters via e-mail, newsletters or other methods.
- **Maintain:** Trip reduction incentives by continuing to offer them to commuters throughout the year.

b) Facilities located within one mile of public transit services must also:

- **Provide commuters the option to purchase transit passes on-site.** Contact the Massachusetts Bay Transit Authority (MBTA) or the local Regional Transit Authority serving the facility to arrange for providing transit passes to commuters on-site. Although not required, the facility may offer pre-tax deductions for transit passes, for which it can obtain a tax break. If all applicable commuters have access to the internet, the facility may publicize the transit pass option by providing a web link for commuters to purchase transit passes from the transit provider.
- **Post the schedules, rates and routes.** Post the schedules, rates and routes of all private and public bus services on the facility’s internal website or in a public area easily accessible by commuters. If all applicable commuters have access to the internet, the facility may post transit schedules by providing a web link to the local transit provider.
- **Negotiate for improved public transit service.** Contact the MBTA, Regional Transit Authority, or other public transit service at least once a year to request improvements in transit service and routes based upon the requests of the facility’s applicable commuters. This includes improvements to schedules, pick-up or drop-off locations, or any other improvements requested by the facility’s commuters. The facility must have a mechanism publicizing this incentive (for example, a survey form or call-in telephone line for comments, etc.) for collecting feedback from commuters regarding their needs for improved public transit. For facilities filing an Update Report Short Form, the facility has the option of forwarding commuter comments to the transit authority based on a commuter survey in the previous reporting year.

c) Facilities employing 1,000 or more applicable commuters must also:

- **Conduct vanpool matching.** The facility must match its own commuters either by using a designated coordinator or utilizing vanpool-matching services.⁴ This incentive is optional for educational facilities with less than 1000 applicable employees.

5) Complete the Rideshare Program Base or Update Report and Summary of Commute Data Form.

The facility must file under its complete legal name (e.g. “The ABC Corporation” vs. “ABC Corporation”) and indicate on the report any change in the facility’s name or address. A separate report must be submitted for each facility location. Reporting forms are located on MassDEP’s website:

<https://www.mass.gov/guides/massdep-rideshare-program>

6) Submit the annual reporting forms to the Massachusetts Rideshare Program.

Submit all pages of the report and documentation as one “pdf document” to MassDEP.RideshareReg@mass.gov, provide your facility’s legal name and address in the «Subject» of the email, e.g., *Smith Corporation, 1000 River Street Boston – 2014 Report*. Submit a separate email for each of your facility’s locations.

The facility must maintain records of commuter data and copies of all Rideshare Program reporting forms for a minimum of three years.

Other ways to encourage DACT reductions

- Consider developing a multi-site network of neighboring businesses by coordinating with other facilities located in the area to promote commuting options.
- Consider developing a Green Team to assist with implementing, publicizing, and maintaining DACT reduction incentives.
- Implement additional DACT reduction incentives beyond the required incentives as listed in this document. For example, consider developing a parking management strategy to include a parking cash-out program or parking disincentives.
- Consider certifying the facility under the Leadership in Energy & Environmental Design (LEED), an internationally recognized green building certification program offering credits for a facility’s drive-alone trip reduction incentives as carpooling, bicycle incentives, etc. For details visit [http:// www.usgbc.org/leed](http://www.usgbc.org/leed).

Who must sign the reports?

The Massachusetts Rideshare Regulation requires the *responsible official* at the facility to sign the Base and Update Reports. This official is responsible for compliance with the regulation and must be:

- ◆ Principal executive officer of a corporation of at least the level of vice president or an authorized representative as indicated in 310 CMR 7.16 (6)a,
- ◆ General partner of a partnership,
- ◆ Proprietor of a sole proprietorship,
- ◆ President or chairman of an unincorporated association, or
- ◆ Principal executive officer, ranking elected official or other authorized employee of a municipal, state, or other public facility.

⁴ Please note that private shuttle service between public transit locations and the facility *is not* considered vanpool service. See Page 6, *Additional Resources*, for vanpool-matching service options.

Additional Resources:

- The Massachusetts Rideshare Program at MassDEP
<https://www.mass.gov/guides/massdep-rideshare-program#program-overview-applicability>;
- MassCommute, a coalition of Massachusetts Transportation Management Associations (TMAs) providing commuter option services including carpool and vanpool matching services at (781) 639-6262 or <http://www.masscommute.com>.
- The Center for Urban Transportation Research, a national clearinghouse of transportation demand management information at
<https://www.nctr.usf.edu/>
- The US Federal Highway Association It All Adds Up to Cleaner Air campaign, a public education initiative to reduce traffic congestion and air pollution at.
https://www.fhwa.dot.gov/environment/air_quality/it_all_adds_up/
- Daily Air Quality Forecast in Massachusetts at
https://airnow.gov/index.cfm?action=airnow.local_state&stateid=22

Description of Commute Data Collection Methods

Data Collection Method	How to Collect Commute Data	Key Steps for Collecting Commute Data ¹
I. Census Survey	Survey all applicable commuters. May also <i>survey all commuters</i> , exclude the non-applicable commuters from the data collection process, and calculate the facility's applicable commuter number based on the number of applicable commuters responding to the survey.	<ol style="list-style-type: none"> 1. Identify applicable commuters. 2. Develop a data collection strategy. 3. Select a data collection week. 4. Distribute and collect commuter surveys. 5. Follow-up with non-responding commuters.
II. Random Sample Survey	<p>Survey a limited number of applicable commuters using the Rideshare Program method of randomly selecting a commuter sample.</p> <p>Extrapolate the commute data from the sample to the facility's entire applicable population.</p>	<ol style="list-style-type: none"> 1. Identify applicable commuters. 2. Determine the sample population for the survey. 3. Same Steps as 2–5 above.
III.A. Direct Count – (Commuter Count)	Collect commute trip data on applicable commuters by counting drive-alone, carpool, and vanpool commuters in vehicles entering parking areas 6 am – 8 pm daily.	<ol style="list-style-type: none"> 1. Identify applicable commuters. 2. Select a data collection week. 3. Count drive-alone, carpool, and vanpool commuters entering parking areas between 6 a.m. to 8 p.m. every day of a target week.
III.B. Direct Count² - (Commuter and Records Count)	Review transportation records for all other commute modes including the number of transit passes sold and number of registered bicyclists and walkers. May also choose to do a 5-day 6 am to 8 pm count for any of the above commute modes.	<ol style="list-style-type: none"> 1. Count the number of transit passes sold. 2. Count the number of bicycles on-site. 3. Count the number of walking commuters.
III.C. Direct Count² (Records Count Only)	<p>Review transportation records for a count of applicable commuters registered to park, distinguishing between drive-alone, carpool, and vanpool commuters.</p> <p>Review transportation records for all other commuters and their commute modes including the number of transit passes sold, and number of registered bicyclists and walkers.</p>	<ol style="list-style-type: none"> 1. Identify applicable commuters. 2. Select a data collection week. 3. Review transportation records to count drive-alone, carpool, and vanpool commuters registered to park. 4. Same as Direct Count III.A Steps 4-6 above.

¹ Please review the *Guidance on Collecting Commute Data* for details.

² MassDEP recommends that only employers with comprehensive transportation records use this method.