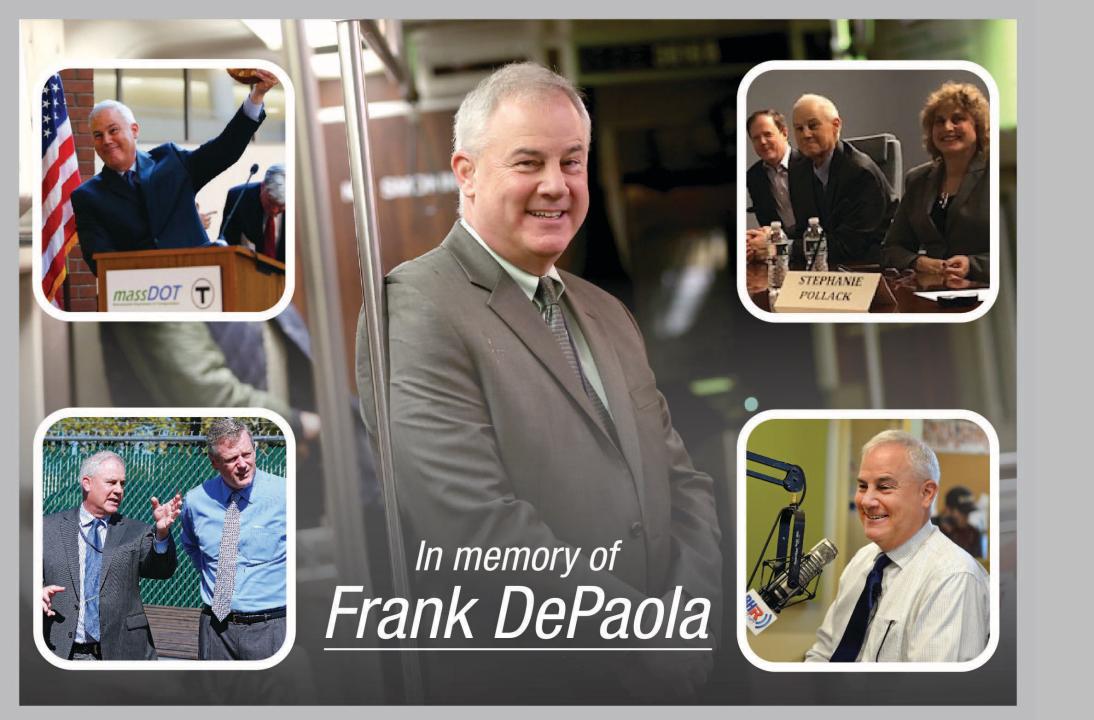


# Secretary Stephanie Pollack's Report to the MassDOT Board

December 16, 2019



# Former Secretaries panel at 10<sup>th</sup> Anniversary





### MassDOT Studio

- Idea accelerator grounded in design-thinking methods
- Multi-disciplinary cohort with students & professionals
- Mix of self-guided and immersive, facilitated group work
- MassDOT and external subject matter experts guide cohort's work toward Studio Challenge
- Studio Challenge grounded in foundational work done by Commission on the Future of Transportation in the Commonwealth, MassDOT Congestion Report and climate resiliency goals

### Hands-Free Bill

• 11/25: Governor signed "An Act requiring the hands-free use o mobile telephones while driving, to improve road safety in Massachusetts." Takes effect in March.

- Electronic devices can only be used in hands-free mode.
- Law enforcement making traffic stops must report data, (age, race, and gender), for person issued a warning or citation.
  - This sets forth process in event there are suspicions a law enforcement entity may be racial profiling.
  - RMV will keep data and the Secretary of Public Safety's office will release this information to the public annually.



The signing of the bill at the State House on November 25. State officials, representatives from advocacy groups, and officials from the National Transportation Safety Board were in attendance.

### Transportation Climate Initiative (TCI)

- TCI Senior Executives Forum with Governor Baker, Lt. Governor Polito, Secretary Pollack and Secretary Theoharides held on Wednesday, December 11. (Photo below.)
- Tuesday, December 17: draft MOU with 12 states, (including Massachusetts), & the District of Columbia will be made public. Website will publish the draft: <a href="www.transportationandclimate.org">www.transportationandclimate.org</a>



# Massachusetts' Rankings: Bicycle Friendly State Report Card

#### **MASSACHUSETTS**

S of 50

STATE ADVOCACY GROUP:
MASSBIKE

#### Successes & Suggestions

The Bicycle Friendly State report card is based on over 100 data points for each state and input from state agencies and advocates. Based on the information we obtained for Massachusetts, the League of American Bicyclists believes the following actions will improve the safety, comfort, and accessibility of bicycling in Massachusetts.

Congratulations on adopting statewide Pedestrian and Bicycle Transportation Plans, these plans reflect a shift in culture at MassDOT to promote sustainable transportation options.

As MassDOT makes investments in bicycling and walking, it would be great to see a comprehensive program, in concert with localities, to do evaluations of projects and collect data on bicycle and pedestrian volumes

Massachusetts has a strong recent history of investing in bicycling and walking, the most recent Capital Investment Plan provides \$60 million for missing links in networks, in addition to recent commitments of \$203 million for shared use paths, \$50 million for complete Streets, and \$5 million for shared use paths, \$40 million for paths with the state funding programs have also resulted in an increase in the use of federal funds for biking and walking so that the state is a leader in such investment.

Adopt a safe passing law with a minimum distance of 3 feet to address bicyclist safety. The League has a white paper that provides examples of how other states have adopted and implemented this type of law: <a href="https://bikeleague.org/sites/default/files/BFS">https://bikeleague.org/sites/default/files/BFS</a> WPS-Safe Passing law-07 2018 pdf

Adopt a law allowing transportation agencies to post 20 mph or lower speed limits under certain circumstances. Expand existing local authority outside Roston.

Ensure that state and local funding for biking and walking projects and programs is leveraged by federal funding. Use the flexibility of federal funding programs to supplement funding provided in the Transportation Alternatives Set-Aside program and use more funding from CMAQ, HSP, and STP.

Dedicate state funding for bicycle projects and programs, especially those focused on safety and eliminating gaps and increasing access for bicycle networks.

Adopt a vulnerable road user law that increases penalties for a motorist that injures or kills a bicyclist or pedestrian.

Allow photo enforcement of speed limits in areas such as school zones or other areas with high activity by people biking and walking.

Several of the laws mentioned in this feedback may be addressed if the Massachusetts legislature passes Senate Bill 1905 (already passed) and House Bill 3092 - An Act to Reduce Traffic Fallties: <a href="https://malegislature.og/w/Bills/91/H3092">https://malegislature.og/w/Bills/91/H3092</a> (P passed by the legislature and signed by Governor Charlie Baker, Massachusetts would gain a safe passing law, a vulnerable user law, improve childhood education on bicycling, and improve the safety of commercial vehicles for people biking and walking in Massachusetts. The Leaque of American Bicyclists enthusiastically supports these bills.

	Infrastructure & Funding	В
	Education & Encouragment	В
	Legislation & Enforcement	D
<b>₽</b>	Policies & Programs	Α
N D	Evaluation & Planning	B+

Get the full breakdown of each category and grade average on the next page.

Bicycle Friendly Actions bikeleague.org/bicycle-friendly-actions	Action Taken?
Complete Streets Law / Policy	~
Safe Passing Law (3ft+)	
Statewide bike plan last 10 years	New in 2019
2% or more federal funds on bike/ped	~
Bicycle Safety Emphasis Area	~

Federal C	Rank	
Ridership	0.8% of commuters biking to work	10/50
Safety	3.3 fatalities per 10K bike commuters	<b>9</b> /50
Spending	\$2.96 per capita FHWA spending on biking and walking	<b>20</b> /50

<sup>1</sup>This figure is based upon the Census Bureau's American Community Survey (ACS) 5-year estimate

<sup>8</sup>This figure is based upon fatalities reported over a five-year period according to the National
Highway Administration (NHTSA)'s Fability Analysis Reporting System and the 2015 5-year ACS
estimate of the number of biojcic communities.

FFHWI spending is based upon projects coded using any of three project types associated with bisycing and wailing projects through the Foderal Higheay Administration (FFHWAY)-Fiscal Management Information System. To calculate per capita spending we used a five-year average for fiscal years 2011–2016 and the 2015 5-year ACS state population certifieds.

- Report Card has over 100 data points for each state
- MA ranked 5 of 50 states for infrastructure and funding, 3 of 50 states for education and encouragement, 2 of 50 states for policies and programs
- Current CIP: \$60 million for missing networks links, \$203 million for shared use paths, \$50 million for Complete Streets, and \$5 million for trails.
- The Governor's Transportation Bond Bill includes over \$100 million in new funding bicycle and pedestrian infrastructure.

# Municipal and partnership grants

### **Grants Announced/Distributed**

- ✓ Community Transit Grants
- ✓ Municipal Small Bridge Program
- ✓ Complete Streets Funding Program
- ✓ Industrial Rail Access Program

### Remaining Grant Programs

- Regional Transit Authority Innovation grants (December)
- Workforce Commute Options grants (January)

# Community Transit Grants

- Total of \$9.5 million for cities, towns and nonprofits for transit operating costs, mobility management or new capital investments.
- Funding just awarded going to total of 126 vans and mini-buses to 33 organizations.
- Grant recipients include those based in Andover, Ashburnham, Boston, Braintree, Brockton, Burlington, Attleboro, Franklin, Oxford, Blackstone, Marion, Plympton, Somerset, Ware, Worcester, etc.
- Groups include Berkshire RTA, Cape Ann Transportation Authority, Cape Cod RTA, MetroWest RTA, Project Independence, etc.

# Municipal Small Bridge Program

- Five-year program assists municipalities with replacing, preserving, repairing bridges with spans between ten and twenty feet.
- Total amount made available by Baker-Polito Administration for five years was \$50 million.
- Program funding period: FY17-FY21.
- To date: 93 awards made totaling \$43.5 million.

# Complete Streets Funding Program

- Provides technical assistance and construction funding to eligible municipalities.
- Now in its 4<sup>th</sup> year, the Program has awarded 124 construction grants state-wide totaling \$38 million.
  - For round 7, the first for Fiscal 2020, 18 municipalities will receive a total amount of \$5.1 million.
  - This award, when spent, will exhaust the funding provided in the 2014 Bond Bill
- The Baker-Polito Administration's Transportation Bond Bill, when passed by the legislature, will provide additional funding

### Industrial Rail Access Program (IRAP) Grants

- 20 applications received for Fiscal 2020 funding
- 9 awards made:
  - 3 to railroads
  - 6 to shippers/receivers
- \$2,756,722 total in awards
- Matched by \$3,302,913 in private funds

### Regional Transit Authority (RTA) Council

- RTA Council met on Tuesday, December 10; members heard a presentation on the MBTA Fare Transformation Initiative and some of the new technology which will be deployed.
- MassDOT expects to award \$3.5 million in discretionary grants to RTAs soon. Funds made available in the FY 2020 budget. Thirteen of fifteen RTAs applied & funding to be awarded under a competitive process.



### Grant Thornton response: Streamlining Employee Reporting

# Sexual Harassment, Discrimination, Reasonable Accommodation, Retaliation

#### **ODCR**

#### MBTA/MassDOT

#### Reporting mechanism:

Mail, email, fax, walk-in, phone, HR portal, MassDOT.gov website.

**Tracking:** Cases are logged and tracked in LaborSoft. No formal time standards for case processing.

#### State Conflict of Interest, Ethics

#### **Office of General Counsel**

#### MBTA/MassDOT

**Reporting mechanism:** phone, email, walk-in. Employees also have access to confidential legal advice through state Ethics Commission.

**Tracking:** Informal intake process. Common to refer employees to the State Ethics Commission.

# Workplace Violence, Employee Misconduct, Workplace Policy Violations, General Employment Concerns

MassDOT: HR - OLER

**Reporting mechanism:** phone, email, on line via HR Portal, walk-in.

**Tracking:** Cases are logged and tracked in Time Matters. No formal processing standards but cases are periodically reviewed for status. Converting to LaborSoft case management software.

**MBTA: Human Resources** 

**Reporting Mechanism:** phone, walk-ins, email.

**Tracking:** Cases are tracked by spreadsheet, often referred to other responsible department/unit (e.g. ODCR).

#### **HRD Investigations COE**

Discrimination, Sexual Harassment, Domestic Violence/Sexual Assault/Stalking, Workplace Violence, and Retaliation

# Fraud, Misuse of Funds/Property, Waste, "Whistleblower"

#### Internal Special Audit (OIG)

#### MBTA/MassDOT

#### Reporting mechanism:

No formal internal complaint procedure. Confidential hotline, email, or online submission form to ISAU (all accessible via Transnet, MBTA Intranet, MBTA and MassDOT website).

**Tracking:** Internal tracking by Audit Unit is manual/informal.

### Workplace Safety, OSHA, Unsafe Practices, Hazardous Materials

MassDOT: Traffic Safety

**Reporting mechanism:** Safety hotline. **Tracking:** Manual. Telephone calls logged.

#### **MBTA: Safety Department**

Reporting mechanism: Safety email and telephone hotline. "Form B" notification. All on MBTA Intranet. By end of 2019, expect to make these reporting structures more robust by implementing a new Employee Safety Reporting Program.

# Actions taken and underway

- ✓ Chief Compliance Officer positions for RMV and MassDOT
- Establish Hotline
- MassDOT-wide message from Secretary Pollack announcing a new hotline available for employee questions, complaints and concerns.
- Undertake an educational campaign for employees to advertise the hotline and available protections for employees who report concerns
- Establish an interdepartmental committee, chaired by MassDOT Chief Compliance Officer, that has oversight responsibility for addressing employee concerns, complaints and questions, triaging employee concerns and complaints and procurement and oversight of third party vendor services for case management services related to employee concerns, complaints and questions.

# Ethics and Compliance Services

- Scope of Services:
  - 24/7 Reporting Hotline
  - Compliance Training
  - Prevention and Awareness Training
  - Incident and Investigations Management Tools such as a Case Management System for Tracking and Close Out
  - Dashboard and Custom Reporting
  - Communications Tools and Design of a Communications Campaign
  - Overall Advice on the Development and Implementation of a robust Compliance and Ethics Program

### Congestion Report Follow-ups: Next Steps

- Studies
  - Scopes being finalized
  - Procurements will be underway over the next two months
- Cross-functional congestion leadership team continuing to meet and advance projects
- MassDOT conducted an employee survey this fall concerning employee transportation behaviors and preferences
  - 1,297 (34%) employees responded
  - Analyzing results and formulating potential new benefits to make MassDOT a model employer
- Will report back to the Board next meeting with more detailed update

17/2019

### Congestion Report Follow-ups: Studies

- Shared Commuter Network Study
  - Investigates strategies to develop and maintain a network of shared travel facilities, vehicles, and options in Massachusetts, with a focus on Greater Boston. Study will include geographic mapping of park-and-ride, bus-on-shoulder, and other shared infrastructure opportunities.
  - Target release to consultant: January, 2020
- Managed Lanes Screening Study
  - Screen our existing infrastructure for the potential development of managed lane systems to support congestion relief in Massachusetts
  - Target release to consultant: end of December, 2019
- Legal Analysis of Managed Lanes/ Federal Tolling
  - Exploring legal ability to implement managed lanes across federal and state legal parameters

12/17/2019 18

# Aeronautics Division Updates

- Invested \$21 million in capital improvements throughout the Commonwealth this calendar year.
- More than \$7 million went to the reconstruction of a portion of the primary runway and the secondary runway at Pittsfield Municipal Airport.
- FY19: Aeronautics invested \$740,000 in airport vegetation maintenance projects at 4 public use airports (Marshfield, New Bedford, Norwood, and Westfield-Barnes).



### Signage Plan for Drone "No Fly Zones"

- Aeronautics is initiating a "No Drone Zone" sign program to inform the general public where drones should not be flown
- FAA regulations prohibit drone operations within 5 miles of an airport without prior permission from the airport manager
- Drones are also prohibited from flying directly over people
- "No Drone Zone" signs will be installed at parks, playgrounds, and fields where drones are likely to be flown
- The MassDOT Sign Shop is manufacturing the initial 60 signs to be distributed to airports prior to the holiday season

