

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Karen E. Spilka

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act Relative To Fairness and Equity In Regional Transportation Planning.

PETITION OF:

NAME:

Karen E. Spilka

DISTRICT/ADDRESS:

Second Middlesex and Norfolk

The Commonwealth of Massachusetts

—————
In the Year Two Thousand and Nine
—————

AN ACT RELATIVE TO FAIRNESS AND EQUITY IN REGIONAL TRANSPORTATION PLANNING.

*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.** The General Laws, as appearing in the 2006 official edition, are hereby amended
2 by adding after chapter 6A, section 103, the following new section:

3 Section 104. Metropolitan planning organizations

4 1. Whereas: The rapid growth in recent decades of many geographic regions of the state has
5 caused distinct areas with dense residential or workforce populations and substantial economic
6 activity to be subject to the jurisdiction of more than one metropolitan planning organization;

7 Whereas: Various transportation projects may cross from the jurisdiction of one metropolitan
8 planning organization into the jurisdiction of another metropolitan planning organization;

9 Whereas: Distinct areas of dense residential or workforce populations and substantial economic
10 activity may be contained within the jurisdiction of a single metropolitan planning organization

11 but have specific, substantial and locally based needs for public infrastructure investment to
12 maintain economic vitality which require planning efforts focused on the distinct area;

13 Therefore: To more fully accomplish a comprehensive and coordinated intermodal transportation
14 plan for the Commonwealth, the secretary of housing and economic development and the
15 secretary of transportation and construction shall develop coordination mechanisms for both sub-
16 regional and joint transportation planning by metropolitan planning organizations in order to
17 better maintain, expand and improve transportation within the state.

18 2. The secretary of housing and economic development at the request of a municipality or, at his
19 own initiative, shall, in consultation with the secretary of transportation and construction,
20 identify distinct geographic areas of economic activity wherein transportation planning for a sub-
21 region of one or more metropolitan planning organizations would provide more complete and
22 accurate information for the development of a comprehensive and coordinated transportation
23 plan for the commonwealth. Identification of cities and towns to be included in a sub-region
24 shall include, but not be limited to, consideration of:

- 25 a. Proximity to the boundary of the jurisdiction of one or more metropolitan
26 planning organizations;
- 27 b. The existence of major roadways and limited access highways;
- 28 c. Regional commuting patterns;
- 29 d. The region's economic and industrial base and leading industry clusters, cultural
30 assets and demographic characteristics, including its social and economic
31 cohesiveness;

- 32 e. Permitting activity and plans for land use changes that require investment in
- 33 public transportation infrastructure;
- 34 f. Information from the region's local officials and leading employers that assesses
- 35 the state of the region's competitiveness and key obstacles to economic growth;
- 36 g. A request by a municipality to join with others to form a sub-region;
- 37 h. Evidence of unmet need for transportation planning and investment.

38 3. Where the municipalities identified by the secretary of housing and economic development
39 are all contained within the jurisdiction of a single metropolitan planning organization, that
40 metropolitan planning organization shall designate a sub-region to plan and program
41 transportation projects in the identified communities. Where the municipalities identified by the
42 secretary of housing and economic development are contained within the jurisdiction of more
43 than one metropolitan planning organization, those metropolitan planning organizations whose
44 districts include the municipalities identified by the secretary of housing and economic
45 development for inclusion in a sub-region shall enter into an agreement to act jointly to plan and
46 program transportation projects in the identified communities. The transportation improvement
47 plan developed by any sub-region shall be provided to the office of transportation planning
48 within the executive office of transportation and construction for inclusion in the state
49 transportation improvement plan.

50 4. Planning and programming for a sub-region shall be conducted by a planning committee
51 consisting of the secretary of the executive office of transportation and construction; the
52 secretary of housing and economic development; the commissioner of the Massachusetts
53 highway department; the director of the regional planning agencies with jurisdiction over the

54 municipalities in the sub-region; the regional transit authorities serving municipalities in the sub-
55 region; freight rail companies operating in the sub-region; a representative of each municipality
56 in the sub-region; a representative of a business association representing major employers in the
57 sub- region. The secretary of the executive office of transportation and construction and the
58 secretary of housing and economic development shall jointly chair the committee.

59 5. Funds to be programmed by the planning committee shall be a portion of the allocation of
60 federal funds available to the metropolitan planning organizations to which the municipalities of
61 the sub-region belong. The secretary of transportation and construction shall develop a formula
62 for determining the appropriate allocation. In determining the formula, the secretary of
63 transportation and construction shall include consideration of the following: economic activity in
64 the sub-region, including payroll and data relating to workforce size; data from the most recent
65 census regarding commuting patterns; planned land development including development
66 permissible under any municipality master plans and zoning regulations; existing transportation
67 infrastructure.

68 6. The metropolitan planning organizations to which the municipalities of the sub-region belong
69 shall contract with the regional planning agencies which serve the municipalities in the sub-
70 region to accomplish the transportation planning and programming duties and administrative
71 functions of the sub-region.