HOUSE DOCKET, NO. 3302 FILED ON: 1/21/2011

HOUSE . . . . . No. 3092

The Commonwealth of Massachusetts

PRESENTED BY:

Joseph F. Wagner

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:

An Act relative to the creation of a motor carrier advisory council .

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Joseph F. Wagner	*8th Hampden*

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HOUSE . . . . . No. 3092

By Mr. Wagner of Chicopee, a petition (accompanied by bill, House, No. 3092) of Wagner relative to the establishment of a motor carrier advisory council Joint Committee on Transportation.

The Commonwealth of Massachusetts

An Act relative to the creation of a motor carrier advisory council .

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 90 of the General Laws, as appearing in the 2008 Official Edition, is amended by inserting the following new section at the end thereof:

Section 62. There is established a Motor Carrier Advisory Council, which shall serve as a forum for representatives of the motor carrier industry to meet with representatives of various state agencies responsible for the oversight, enforcement and regulation of the commercial transportation industry. The council shall:

(1) make recommendations to eliminate the duplication of work among various state agencies;

(2) make recommendations to promote uniformity of enforcement policies;

(3) encourage the consolidation of the state's efforts to regulate and oversee the operation of the commercial motor vehicles in the state by reviewing the feasibility of consolidating the issuing of the forms, decals, permits, registrations, licenses and approvals required for the operation of commercial motor vehicles in the state from a central location;

(4) consider the intrastate and interstate effects of state policies on the ability of Massachusetts motor carriers to compete with motor carriers based in other states; and

(5) consider and make recommendations concerning any other matter deemed relevant by the council. The Motor Carrier Advisory Council shall consist of the following voting members: at least one member from the Massachusetts State Police Commercial Vehicle Enforcement Section, the Regional Director from the Federal Motor Carrier Safety Administration (FMCSA) ex officio, at least one member from the Massachusetts Department of Transportation, at least one member of the Massachusetts Registry of Motor Vehicles, one member of the Massachusetts

22 Department of Environmental Protection and at least one member from the Massachusetts Motor
23 Transportation Association or its designee. The council shall elect a chairman, at the initial
24 meeting of the committee, from its members who shall serve for a period co-terminus with the
25 Governor. The chairman, or his/her designee, shall be responsible to organize each meeting,
26 notify the members, formulate the agenda, provide a copy of the minutes following the meeting
27 and such other duties as may be required.

28 The council shall only make recommendations or take actions by a majority vote of all
29 members present and voting. The council may make recommendations as the council deems
30 appropriate to the Governor, the General Court or any related state agencies. The council shall
31 convene a meeting:

32 (1) Prior to, or immediately after, the commencement of each regular session of the
33 General Court concerning legislative proposals of the various state agencies and the
34 representatives of the motor carrier industry;

35 (2) after the close of each regular session of the General Court concerning the impacts
36 and implementation of any legislation affecting the motor carrier industry; and

37 (3) at the call of the chairman or any other council member, provided the council shall
38 meet, notwithstanding the provisions of subdivisions (1) and (2) of this subsection, at least
39 quarterly. The council shall solicit input from representatives of motor carrier related industries.
40 Such representatives shall include, but not be limited to, the New England Bus Association
41 (NEBA), the School Transportation Association of Massachusetts (STAM), the Massachusetts
42 Oilheat Council, the Massachusetts Petroleum Council and the Regional Motor Advisory
43 Council.