SENATE DOCKET, NO. 1104 FILED ON: 1/17/2013

SENATE . . . . . No. 1706

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:

An Act promoting fairness and equity in transportation planning.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Karen E. Spilka	*Second Middlesex and Norfolk*
Chris Walsh	*6th Middlesex*

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SENATE . . . . . No. 1706

By Ms. Spilka, a petition (accompanied by bill, Senate, No. 1706) of Karen E. Spilka and Chris Walsh for legislation to promote fairness and equity in transportation planning. Transportation.

The Commonwealth of Massachusetts

An Act promoting fairness and equity in 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:

SECTION 1. Chapter 6C of the General Laws, as appearing in the 2010 official edition, is hereby amended by adding after section 10, the following new section:

Section 10A. Metropolitan planning organizations

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

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

Whereas: Distinct areas of dense residential or workforce populations and substantial economic activity may be contained within the jurisdiction of a single metropolitan planning organization but have specific, substantial and locally based needs for public infrastructure investment to maintain economic vitality which require planning efforts focused on the distinct area;

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

2. The secretary of transportation at the request of a municipality or, on his own initiative, may, in consultation with the secretary of housing and economic development, identify distinct

23 geographic areas of economic activity wherein transportation planning for a sub-region of one or
24 more metropolitan planning organizations would provide more complete and accurate
25 information for the development of a comprehensive and coordinated transportation plan for the
26 commonwealth. Identification of cities and towns to be included in a sub-region shall include,
27 but not be limited to, consideration of:

28 a. Proximity to the boundary of the jurisdiction of one or more metropolitan planning
29 organizations;

30 b. The existence of major roadways and limited access highways;

31 c. Regional commuting patterns;

32 d. The region's economic and industrial base and leading industry clusters, cultural assets
33 and demographic characteristics, including its social and economic cohesiveness;

34 e. Permitting activity and plans for land use changes that require investment in public
35 transportation infrastructure;

36 f. Information from the region's local officials and leading employers that assesses the
37 state of the region's competitiveness and key obstacles to economic growth;

38 g. A request by a municipality to join with others to form a sub-region;

39 h. Evidence of unmet need for transportation planning and investment.

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

50 4. Planning and programming for a sub-region shall be conducted by a planning
51 committee consisting of the secretary of department of transportation; the secretary of housing
52 and economic development; the commissioner of the Massachusetts highway department; the
53 director of the regional planning agencies with jurisdiction over the municipalities in the sub-
54 region; the regional transit authorities serving municipalities in the sub-region; freight rail
55 companies operating in the sub-region; a representative of each municipality in the sub-region; a
56 representative of a business association representing major employers in the sub- region. The

57 secretary of transportation or the secretary's designee and the secretary of housing and economic
58 development or the secretary's designee shall jointly chair the committee.

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

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